

AL-13-000-6712



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 12 2013

REPLY TO THE ATTENTION OF

The Honorable Mark Kirk
Unites States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your June 25, 2013 letter regarding the draft National Pollutant Discharge Elimination System (NPDES) permit for the BP Products North America Inc., Whiting, Indiana Refinery.

The U.S. Environmental Protection Agency is reviewing the draft NPDES permit and associated public comments received by the Indiana Department of Environmental Management (IDEM). EPA is working with IDEM to ensure that all public comments are fully addressed, with special emphasis on mercury limitations and treatment alternatives. EPA will ensure that the final permit issued to BP complies with applicable federal law and requirements.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kate Balasa or Denise Gawlinski, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in black ink, appearing to read "S Hedman", is written over a horizontal line.

Susan Hedman
Regional Administrator

United States Senate

December 3, 2013

Ms. Laura Vaught
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Room 3426 ARN
Washington, D.C. 20460

Dear Ms. Vaught:

Enclosed please find the correspondence I received from my constituent, *exempt* of Waukegan, Illinois.

My constituent contacted my office regarding a property she owns in Galena, Illinois. *exempt* respectfully requested I forward her correspondence to your office. Further details of their concerns may be found in the attached documents. I appreciate any assistance or further information you would be able to offer my constituent.

Thank you in advance for your attention to this matter. Please do not hesitate to contact my Executive Assistant to the Chief of Staff, Alexandra Felgenhauer, at 312-886-3506 should you have any further questions.

Very truly yours,



Mark Kirk
United States Senate

MSK:ALF

United States Senate

WASHINGTON, DC 20510

Privacy Act Release

Name Exempt

Address U. Exempt

Waukegan, IL 60087

Home Phone Exempt

Work Phone Retired

Cellular Phone Exempt

E-Mail Address Exempt Exempt

Agency Involved U.S. Environmental Agency & U.S. Dept. of Justice

Pertinent Case Number(s) USEPA Docket No. V-W-10-Justice

Please provide a brief description of your issue. You may attach additional pages or supporting documents if necessary. C-954

Refer to the letter for Case Rosenman
Feel free to contact him

Pursuant to the Privacy Act of 1974, as amended, 5 U.S.C. 552a, I authorize the release of all pertinent records and information regarding my case to Senator Mark Kirk and his staff. The information I have provided to Senator Kirk's office is true and accurate to the best of my knowledge and belief. The assistance I have requested from Senator Kirk's office is in no way an attempt to evade or violate any federal, state or local law.

Signature Exempt Date 11/26/13

Please return to: Senator Mark Kirk
230 South Dearborn Street, Suite 3900
Chicago, IL 60604
Fax: (312) 886-2117

Dear Senator Kirk,

I respectfully request your personal and direct assistance on an ongoing matter I have been dealing with since 2009 regarding a property in Galena, Illinois which my husband and I bought many years ago. We originally purchased most of the acreage in 1988 with a plan to move out there for our retirement. In 1990 my husband bought some additional adjoining land which included part of the Bautsch-Gray Mine site. My husband died in 1995 and I never moved to Galena. Instead myself, my family and friends have visited this land as a vacation place for many happy years.

I am now a 79 year old widow with no income. In 2009 I received a call from the U.S. government informing me that I was responsible for being involved in cleaning up the Bautsch-Gray mine site. I was told I would need to sign papers and that the fine for not doing so would be \$30,000 a day.

This matter is still ongoing. Although my husband and I did the right thing and saved for our retirement, I have spent a great deal of my savings on this ongoing legal encounter. Both the financial and mental stress of this experience has taken a great toll on my health. My family has been blessed with living very long lives so I am constantly worried about how I will take care of myself if this ongoing legal encounter and the associated expenses continue.

My husband and I bought the land more than 40 years after mining ceased. Neither I, nor our ancestors, had any involvement whatsoever in the mining. During the years after mining ceased, the remnants of the mining process ("tailings") were sold by other owners of the land to many local individuals/companies with no warning that it was unsafe. The Illinois EPA did a core sample check and we were specifically told the levels were not high enough to be cause for alarm.

In conclusion, I ask that you help end my involvement in this matter. I truly want to enjoy the remaining portion of my life without the stress of ongoing legal fees, plus site and remediation expenses. The issues are explained in detail in the accompanying letter. Thank you for any assistance you can offer myself and my family as I certainly do not want to pass this on to my daughters and grandchildren. My family needs your direct assistance in bringing this to a consensual end.

Senator Durbin has also received the attached letter.

Waukegan, IL 60087

Exempt

Exempt

Exempt

8/19/13

Nov. 29, 2013

Exempt

Senator Kinky
My family would
appreciate anything you
can do to stop this
burden - the stress is
not something I should
have to deal with at
this time of my life -
the financial cost has
been overwhelming - I am
working with 3 lawyers -
plus costs to the government
and potential of more in
future. I have used my
personal lawyer to change
my will to try and protect me
from future costs
from the government.

AL-14-000-2540

My land comes with
superfund so I can't
sell any of it at this time.
I am unable to spend the
time there I used to -
not comfortable walking
alone there as I have
had some fractures.

Eventually and/or I
would be able to meet
you at your Chicago
office if that would be
helpful.

What it comes down to -
I didn't cause anything
done to the land - my
husband purchased land simply
to add to what we had &
there were never any plans
to use it as part of a
business.

Thank you for looking
at this &

my family and I
are ~~up~~ down -
it is 4 years this
month since I
received the first phone
call informing me
of my involvement.

Exempt

V

Exempt

United States Senate
WASHINGTON, DC 20510

June 3, 2014

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

We write to express our concerns with your proposed rule for existing power plants emissions of greenhouse gases.

Our primary concern is that the rule as proposed will result in significant electricity rate increases and additional energy costs for consumers. These costs will, as always, fall most heavily on the elderly, the poor, and those on fixed incomes. In addition, these costs will damage families, businesses, and local institutions such as hospitals and schools. The U.S. Chamber of Commerce recently unveiled a study indicating that a plan of this type would increase America's electricity bills, decrease a family's disposable income, and result in job losses.

This proposed rule continues your Administration's effort to ensure that American families and businesses will pay more for electricity, an important goal emphasized during your initial campaign for President, and suffer reduced reliability as well. Removing coal as a power source from the generation portfolio – which is a direct and intended consequence of your Administration's rule – unnecessarily reduces reliability and market flexibility while increasing costs. As you are aware, low-income households spend a greater share of their paychecks on electricity and will bear the brunt of rate increases.

In your haste to drive coal and eventually natural gas from the generation portfolio, your Administration has disregarded whether EPA even has the legal authority under the Clean Air Act to move forward with this proposal, the dubious benefit of prematurely forcing the closure of even more base load power generation from America's electric generating fleet, and the obvious signal this past winter's cold snap sent regarding our continued need for reliable, affordable coal-fired generation.

In fact, your existing source proposal goes beyond the plain reading of the Clean Air Act, and it, like your Climate Action Plan, includes failed elements from the cap-and-trade program rejected by the United States Senate. You need only look back to June 2008 for a repudiation of that type of approach by the United States Senate. On June 2, 2008, the Senate debate began on S. 3036,

the Climate Security Act, a cap-and-trade bill, and ended in defeat on June 6, when the Senate refused to invoke cloture. Since that time, Majority Leader Harry Reid has avoided votes that would provide a record of the Senate's ongoing and consistent disapproval of your unilateral action.

Including emissions sources beyond the power plant fence as opposed to just those emissions sources inside the power plant fence creates a cap-and-trade program. As you noted in the wake of the initial failure of cap-and-trade, "There are many ways to skin a cat," and your Administration seems determined to accomplish administratively what they failed to achieve through the legislative process.

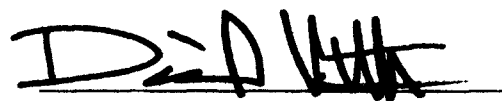
At a time when manufacturers are moving production from overseas to the U.S. and investing billions of dollars in the process, we are very concerned that an Administration with a poor management record decided to embark on a plan that will result in energy rationing, pitting power plants against refineries, chemical plants, and paper mills, for the ability to operate when coming up against EPA's emissions requirements. A management decision that eliminates access to abundant, affordable power puts U.S. manufacturing at a competitive disadvantage.

Moreover, there is substantial reason and historical experience to justify our belief that at the end of the rulemaking process, EPA will use its authority to constrain State preferences with respect to program design, potentially going so far as dictating policies that restrict when American families can do the laundry or run the air conditioning. Such impositions practically guarantee that costs, which will of course be passed along to ratepayers, will be maximized, the size and scope of the federal government will expand, and the role of the States in our system of cooperative federalism will continue to diminish.

Finally, we are concerned that there is almost no assessment of costs that will be imposed by this program. Again, if history is any guide, the costs imposed on U.S. businesses and families will be significant and far exceed EPA's own estimate. More disturbingly, the benefits that may result from this unilateral action – as measured by reductions in global average temperature or reduced sea level rise, or increase in sea ice, or any other measurement related to climate change that you choose – will be essentially zero. We know this because in 2009, your former EPA Administrator testified that "U.S. action alone would not impact world CO2 levels." If these assumptions are incorrect, please don't hesitate to provide us with the data that proves otherwise.

We strongly urge you to withdraw this rule.

Sincerely,



John Bozman

John Thorne

Ray Sturges

Ray Hunt

Art Zinder

Orvin Hatch

Ray Johnson

Jeff Simmons

Mike

Bill Miller

John

John Cornyn

Mike Crayon

Sam McChesney

Jeff Simmons

John Barrasso

Pat Rooney

Michael B. Enzi

Ilona Kim

Chuck Grassley

MM

John

Richard Shelby

Lindsay GRADMAN

Carrie Alexander

Walter G. E.

Paul Cohen

Pat Roberts
7th S

Jerry Moran

Don Coats

Harold

Jim S.

John F. H.

Rob Postman

~~ES~~

Sally Chaublin

Gene Raybarger
Ann Hill

AL-14-001-2702



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 18 2014

OFFICE OF
AIR AND RADIATION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of June 3, 2014, to President Obama regarding the Clean Power Plan for Existing Power Plants that was signed by the U.S. Environmental Protection Agency Administrator Gina McCarthy on June 2, 2014, and published in the *Federal Register* on June 18, 2014. The President asked that I respond on his behalf.

Climate change induced by human activities is one of the greatest challenges of our time. It already threatens human health and welfare and our economic well-being, and if left unchecked, it will have devastating impacts on the United States and the planet. Power plants are the largest source of carbon dioxide emissions in the United States, accounting for roughly one-third of all domestic greenhouse gas emissions.

The Clean Power Plan aims to cut energy waste and leverage cleaner energy sources by doing two things. First, it uses a national framework to set achievable state-specific goals to cut carbon pollution per megawatt hour of electricity generated. Second, it empowers the states to chart their own paths to meet their goals. The proposal builds on what states, cities and businesses around the country are already doing to reduce carbon pollution, and when fully implemented in 2030, carbon emissions will be reduced by approximately 30 percent from the power sector across the United States when compared with 2005 levels. In addition, we estimate the proposal will cut the pollution that causes smog and soot by 25 percent, avoiding up to 100,000 asthma attacks and 2,100 heart attacks by 2020.

Before issuing this proposal, the EPA heard from more than 300 stakeholder groups from around the country to learn more about what programs are already working to reduce carbon pollution. These meetings, with states, utilities, labor unions, nongovernmental organizations, consumer groups, industry, and others, reaffirmed that states are leading the way. The Clean Air Act provides the tools to build on these state actions in ways that will achieve meaningful reductions and recognizes that the way we generate power in this country is diverse, complex and interconnected.

We appreciate your views about the effects of the proposal. As you know, we are currently seeking public comment on the proposal, and we encourage you and all interested parties to provide us with detailed comments on all aspects of the proposed rule. The public comment period remains open and all comments submitted, regardless of method of submittal, will receive the same consideration. The public comment period will remain open for 120 days, until October 16, 2014. We have submitted your letter to the rulemaking docket, but additional comments can be submitted via any one of these methods:

- Federal eRulemaking portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- E-mail: A-and-R-Docket@epa.gov. Include docket ID number HQ-OAR-2013-0602 in the subject line of the message.
- Fax: Fax your comments to: 202-566-9744. Include docket ID number HQ-OAR-2013-0602 on the cover page.
- Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mailcode 28221T, Attention Docket ID No. OAR-2013-0602, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.
- Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, Room 3334, 1301 Constitution Ave., NW, Washington, DC, 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kevin Bailey in the EPA's Office of Congressional and Intergovernmental Relations at bailey.kevinj@epa.gov or at (202) 564-2998.

Sincerely,



Janet G. McCabe
Acting Assistant Administrator

AL-15-000-8162

United States Senate

WASHINGTON, DC 20510

April 23, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

As you work toward finalizing the proposed rule on biofuels volume requirements for 2014 and subsequent years under the Renewable Fuel Standard (RFS), we urge you to take this opportunity to reverse course from the 2014 proposed rule and craft targets for domestic biofuels that reflect Congress' intended goals for the RFS.

The RFS has already proven to be an effective driver of alternative fuels and economic development. It has strengthened agriculture markets and created hundreds of thousands of jobs in the new energy economy, many of which are in rural areas. Setting strong biofuels volume requirements for 2014 and beyond will ensure this progress continues. A stable RFS will also provide the certainty needed to unlock future investments in renewable fuels and necessary infrastructure, reduce our nation's dependence on foreign sources of energy, and drive innovation and progress toward cellulosic, biodiesel, recycled-waste, algal, and other advanced biofuels.

When Congress passed the RFS and it was enacted into law, the intent was a forward-looking policy that drives future investments in both biofuels production and the infrastructure necessary to bring these biofuels to market. With its harmful 2014 proposed rule, the U.S. Environmental Protection Agency (EPA) limited biofuels volume requirements based on available existing infrastructure, a condition that falls outside of the EPA's clearly defined waiver authority provided by Congress in the RFS.

The biofuels volume requirements for 2014 and beyond have serious implications for our economy and energy security. We encourage you to ensure a final proposal continues to work toward achieving the RFS's long-term economic and renewable energy goals.

Sincerely,

Amy Klobuchar

Din Durkin

Al Franken

Chuck Grassley

John R. Sununu

Clara Kim

Tom Beldie

Joe Donnelly

Brian Eckert

Caro McCasill

W. H.

Heidi Hertke

Jon Tosti

Pat Roberts

Roy Blend

Edward J. Markey

Sharon Brown

Bill Nelson

Debbie Stanger

Jack Reed

Maria Cantwell

Shirley

Margi K. Diano

Patty Murray

Wm F. B. A

Art Fischer

John Hovorn

Deanne Shaleen

Barbara Boxer

Ken Wyden

Ken Coats

Elizabeth Han

Joni K. Ernst

Jeff A. Murley

Larry Hino

W. Mark Ford

Dan Berta



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 22 2015

OFFICE OF
AIR AND RADIATION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of April 23, 2015, regarding the Renewable Fuel Standard (RFS) program.

Under the Clean Air Act, as amended by the Energy Independence and Security Act of 2007, the U.S. Environmental Protection Agency is required to set annual standards for the RFS program each year. In November 2013, the EPA proposed to establish the annual percentage standards for cellulosic, biomass-based diesel, advanced biofuel, and total renewable fuels that apply to gasoline and diesel produced or imported in the year 2014. In proposing the 2014 RFS standards, the EPA sought to advance the broader goal of the RFS program to spur long-term growth in renewable fuels, while taking account of the need to overcome the constraints that exist in the market and fuel system today.

That proposal generated a significant number of comments and diverging views, particularly on the proposal's ability to ensure continued progress toward achieving the law's renewable fuel targets. The EPA, in consultation with other federal agencies, evaluated these issues in light of the purposes of the statute and the Administration's commitment to its goals. Ultimately, we decided that we would not be able to finalize the 2014 volume standards before the end of 2014, a decision we announced last November.

I recognize the delay in issuing the RFS standards has exacerbated uncertainty in the market for both renewable fuel producers and obligated parties, and I am committed to getting this program back on track. To that effect, we intend to complete rulemakings for 2014, 2015 and 2016 for all the RFS standards in 2015. We will also propose and finalize biomass-based diesel standards for 2017. To accomplish these goals, we intend to issue a proposed rule by June 1, 2015, and to finalize the rule by November 30, 2015. The proposal will be out very soon. We look forward to briefing you and your staff on it promptly, and to your comments.

Again, thank you for your letter. If you have further questions or concerns, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe".

Janet G. McCabe
Acting Assistant Administrator

AL-11-000-9455



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 13 2011

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Later this month, the U.S. Environmental Protection Agency (EPA) will announce the five winners of the 2011 Presidential Green Chemistry Challenge Awards. We are pleased to inform you that one of your constituents, Genomatica, which has a demonstration plant in Illinois and is partnering with one of your constituents, *Alkermes*, will receive an award. The Presidential Green Chemistry Challenge Program is a voluntary partnership between the EPA and the chemical industry and broader scientific community. The annual awards recognize outstanding innovations in green chemistry that are scientifically, environmentally, and economically beneficial. The results of this national competition are impressive; since 1996, the 82 award-winning technologies have eliminated the use and generation of hundreds of millions of pounds of toxic substances, while saving energy and lowering costs. Details are available on the program's website at www.epa.gov/greenchemistry.

This year, Genomatica has won the Greener Synthetic Pathways Award for novel microorganisms that make basic chemicals. We and the attendees from Genomatica would be honored if you or your staff could attend the awards ceremony. I will present the 2011 Presidential Green Chemistry Challenge Awards to Genomatica and four other recipients at our ceremony in the Pavilion of the Ronald Reagan Building, 1300 Pennsylvania Ave., NW, Washington, D.C. on Monday, June 20, 2011, at 5:30 p.m. The ceremony will last approximately one hour. I expect to be joined by representatives of the White House, the American Chemical Society, and other federal agencies.

If I can be of further assistance, please let me know, or your staff may contact Mr. Sven-Erik Kaiser in EPA's Office of Congressional and Intergovernmental Relations at (202) 566-2753.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen A. Owens", is written over a horizontal line.

Stephen A. Owens
Assistant Administrator

United States Senate

WASHINGTON, DC 20510

December 9, 2010

Mr. David McIntosh
Associate Administrator for Congressional
and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Ave, NW, Room 3426 ARN
Washington, DC 20460

Dear Mr. McIntosh:

I was contacted by my constituent, Mr. Steve Smith, pertaining to recent policy changes to the Energy Star program.

Mr. Smith is the President and CEO of Enertech Manufacturing, LLC, based in Greenville, IL. Enertech specializes in the production of geothermal heat pumps which are certified to be listed as an Energy Star product.

Enertech complied with the June 4, 2010 and August 23, 2010 memorandums from the Office of Air and Radiation as to certification of all new products by a third-party in order to be added to the Energy Star program.

However, the October 26, 2010 memorandum stipulated in addition to new products, existing products must go through the verification process by January 1, 2011 in order to carry the Energy Star label. This policy change gives Mr. Smith less than six to weeks to have his products retested.

With such large implications, Mr. Smith and other producers of Energy Star products should be provided with a greater timetable in order to be in compliance with the new regulations.

I respectfully request the Environmental Protection Agency investigate the concerns Mr. Smith has brought to my attention concerning the policy changes to the Energy Star program. Please find additional information enclosed.

I appreciate your attention to this matter and any assistance you may be able to provide my constituent. Please direct your reply to Andrew Field in my Chicago office located at:

Honorable Mark Kirk
230 S Dearborn
Suite 3900
Chicago, IL 60604

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kirk", written in a cursive style.

Mark Steven Kirk
United States Senate

MSK:af

Enclosures



2506 S Elm Street
Greenville, IL 62246
Ph: (618) 664-9010
Fax: (618) 664-4597

www.geocomfort.com
www.hydronmodule.com
www.tetco-geo.com

November 23, 2010

Senator Roland Burris
387 Russell Senate Office Building
Washington, DC 20510
Fax: 202-228-3333

Dear Senator Burris:


Enertech Manufacturing is a small geothermal heat pump manufacturer with corporate headquarters in Greenville, Illinois. I am writing this letter to make you aware of a situation at EPA that could devastate the geothermal heat pump industry, resulting in job losses for your constituents, and undermining the intent of the Energy Star program. I am asking for your help in persuading the EPA to reconsider their recent actions based upon the consequences that will occur. Please review the timeline below, and my recommendations at the end of the letter.

At the beginning of June we received a letter from EPA (appendix A-1, yellow-highlighted text), notifying us of a change in policy that would require all new products to be third-party certified before being added as an Energy Star recognized product. We were preparing for this change by evaluating whether to get our labs certified or to use a third party for certification. Since this requirement stipulated testing for new products, this seemed like a reasonable change in policy to help put all manufacturers on a "level playing field."

In August we received another letter from EPA (appendix A-2), essentially verifying some of the proposals discussed in June. At this time, there was no mention that there would be any changes for existing Energy Star products.

At the end of October, we received communication from EPA (appendix A-3, yellow-highlighted text), informing us of revisions to the Energy Star program that would take effect January 1, 2011. This is the first time that we were notified of a change that would require existing Energy Star products to be retested, which gave us two months to retest our entire product line, except water-to-water units that were "grandfathered." Products comprising roughly 80% of our sales would be dropped off the Energy Star website on January 1, 2011. It wasn't until November 12 that EPA held a webinar to clear up the changes to the program (appendix A-4). Even then, there was a lot of confusion, especially with a major change looming in just six weeks.

Last week we had a representative from our company attend the annual AHRI (Air Conditioning, Heating, Refrigeration Institute) conference to try to learn more about the requirements. We're spending tens of thousands of Dollars attempting to get our testing labs certified to a standard we've only know about for a few weeks. We've also communicated directly to EPA (appendix A-5), only to get an "I don't know how to help" response.



Enertech Manufacturing is all for verification and testing to ensure that consumers are getting the efficiencies claimed by Energy Star products. However, this latest change could quite literally put us out of business. As you know, part of ARRA included 30% tax credits for geothermal heat pumps through 2016. In order to qualify for the tax credit the heat pump must be listed on Energy Star. If EPA does not modify its stance, we could be in a situation where many of the geothermal heat pump industry's products would not listed on Energy Star's website on January 1, 2011, causing them not to qualify for the tax credit. This is particularly difficult for small manufacturers like Enertech, and would be a huge setback for a very green, growing segment of the economy.

We know that you are interested in keeping and creating new jobs, and we desperately need your assistance in convincing EPA to consider the implications of such a "knee-jerk" change in policy. With no congressional oversight, EPA is able to change policy without considering the wishes of the American people or elected officials. There seems to be a complete lack of understanding of the current certification processes that are already in place in the heating and air conditioning industry, which I will outline below.

AHRI (Air Conditioning, Heating, Refrigeration Institute) is an industry organization that certifies published efficiencies. In our section (water-source/geothermal heat pump), there is a requirement to audit 30% of our product line every year. Therefore, in three years, all of our products have been certified by a third party to perform as published. A failure is very onerous on the manufacturer due to the requirements for notifying customers of efficiency de-rating, literature reprinting, etc. Since AHRI is a certifying body of EPA for the Energy Star program, it makes no sense that EPA would require products that have already been certified to be retested. As mentioned earlier, we have no problems having new products third party certified, and we have plans in the works to do so. To retest already certified products, however, seems excessive and unnecessary.

We would ask that you convey the serious implications of these policy changes to EPA, and ask them to provide 180 days from the policy change effective date for manufacturers to comply (instead of less than a month when considering holidays). We believe that we could comply with the 100% product certification requirement if we had until June 30, 2011 before current products were removed from the Energy Star website. We have been in contact with Eamon Monahan (monahan.eamon@epa.gov) at EPA, but we assume that you will have other contacts that may be more influential. Please let me know if you have any questions or need additional information. Thank you for taking the time to review my letter.

Regards,



Steve Smith
President and CEO
Enertech Manufacturing, LLC
2506 S. Elm St.
Greenville, IL 62246
Office: 618-690-3223
Fax: 618-664-4597
ssmith@enertechmfg.com

Appendix A-1: First communication from EPA on changes

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



OFFICE OF
AIR AND RADIATION

June 4, 2010

Dear ENERGY STAR[®] Partner or Interested Party:

The U.S. Environmental Protection Agency (EPA) welcomes your input on the attached Draft Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program. It is EPA's intent to require manufacturer partners across all eligible categories to have their ENERGY STAR products certified by an EPA-recognized Certification Body (CB). The attached Draft Certification and Verification Requirements document outlines how certification bodies will qualify products and verify their performance. These draft requirements build on the previous two draft documents describing requirements for laboratories and accreditation bodies (ABs). The revised timeline attached describes the key milestones for 2010. Please note that for new ENERGY STAR products, testing must be conducted in EPA-recognized laboratories effective by the end of 2010¹.

By September, EPA will propose revisions to each of the ENERGY STAR product-specific program requirements to incorporate the third-party certification requirement. EPA's pursuit of this significant change at this time, shifting the ENERGY STAR program from a self-certification to a third-party certification approach, is driven by our commitment to preserve consumer confidence in the ENERGY STAR label and protect the significant value it offers program partners. Third-party certification delivers additional potential benefits, including allowing for broader use of in-house labs and addressing stakeholder concerns regarding the sharing of information with EPA prior to the release of products to the market.

Under a third-party certification requirement, manufacturer partners must have an EPA-recognized CB certify that their products meets all applicable ENERGY STAR performance parameters prior to the products being labeled as ENERGY STAR qualified. Other partner requirements EPA expects to propose as part of product-specific program requirement revisions include:

1. Products would have to be tested in an EPA-recognized laboratory.
2. In the event that there were changes that affected the performance of the product with respect to the relevant ENERGY STAR program requirements, the partner would have to report these changes to the CB and EPA. Further, the partner would have to demonstrate,

¹ EPA-recognized laboratories include laboratories that meet the requirements described in "Conditions and Criteria for Recognition of Laboratories for the ENERGY STAR Program." EPA is also proposing to grant CBs the option to operate a supervised or witnessed manufacturers' testing laboratory program (SMTL or WMTL) if it operates in accordance with the requirements described in Appendix A of the Draft Certification and Verification Requirements document.

- through re-testing in an EPA-recognized laboratory, that the product continued to meet the ENERGY STAR requirements in order to maintain its ENERGY STAR qualification.
3. Manufacturers would have to authorize the CB to share the results of any relevant testing or product review with EPA.

Note that these and any other product-specific considerations will be addressed within each of the product specifications rather than in this general document.

Important proposed requirements for EPA-recognized CBs include:

1. Maintaining accreditation to ISO/IEC Guide 65 by a signatory to the International Accreditation Forum (IAF) Multilateral Recognition Agreement (MLA);
2. Reviewing the test results of each product intended for ENERGY STAR qualification, and certifying that these products meet ENERGY STAR program requirements;
3. Ensuring that laboratories providing test data are recognized by EPA and that the personnel conducting the testing are properly trained and qualified;
4. Reporting information on certified products to EPA. EPA will establish the information it needs in order to make qualified product lists available; and,
5. Operating a verification testing program, a challenge testing program, and a product specification audit.

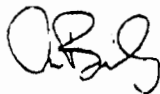
As indicated in the attached timeline, these Draft Certification and Verification Requirements are part of a broader set of requirements that also include requirements for laboratories and ABs. The attached process flow diagram shows how EPA intends for these requirements to interconnect by describing the roles and responsibilities for ABs, CBs, laboratories, manufacturer partners and EPA.

EPA has been reviewing and incorporating comments on these documents as they have been submitted, and will be publishing comments along with a key issue and response document shortly. Please submit your feedback on these Draft Certification and Verification Requirements to ENERGYSTARVerificationProgram@energystar.gov by June 25, 2010, noting, "Draft Certification and Verification Requirements," in the subject line of your email. EPA plans to publish these stakeholder comments on its Web site, and address additional comments in the key issue and response document. Should you have any questions, please contact Eamon Monahan at monahan.eamon@epa.gov.

To track EPA's progress in developing enhanced testing and verification requirements, visit the ENERGY STAR Web site at www.energystar.gov/testingandverification.

Thank you for your continued support of ENERGY STAR.

Sincerely,



Ann Bailey, Chief
ENERGY STAR Labeling Branch
U.S. Environmental Protection Agency

**Appendix A-2: Second communication from EPA on changes--
no mention of changes to listings for existing products****UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460****OFFICE OF
AIR AND RADIATION**

August 23, 2010

Dear ENERGY STAR® Partner or Interested Party:

The U.S. Environmental Protection Agency (EPA) has finalized its Conditions and Criteria for Recognition of Certification Bodies (CBs) for the ENERGY STAR Program ("CB Requirements"). These final requirements are an important step in the enhanced testing and verification effort that EPA intends to have in place for all ENERGY STAR qualified products at the end of the year.

Comments and Responses to Final Draft

EPA published a final draft of these requirements on July 23, and subsequently received and considered input from stakeholders. Stakeholder comments on the final draft will be made available on the ENERGY STAR website at www.energystar.gov/testingandverification.

Several stakeholders commented on the requirement that CBs maintain a substantial North American presence, seeking additional clarification. EPA understands that international accreditation bodies (ABs) and laboratories are an essential part of the testing and verification program it is putting in place, and fully intends to recognize ABs and laboratories from around the world. However, CBs play a different and more comprehensive role in EPA's scheme. Because CBs will be taking full ownership of qualified product data and will be running verification testing programs, EPA expects to maintain a close working relationship with these organizations. In the interest of clarification, EPA has revised this requirement to make clear that the CB must meet EPA's expectations as to the availability of personnel and timeliness of responses to requests for information. EPA will make case-by-case determinations on a CB's ability to meet this requirement as part of the application process.

EPA carefully considered all comments and made the following minor changes in this final version:

- Provided direction that CBs shall have a procedure to verify partner claims as to what constitutes a "family" of models and what may be considered a representative model from that family.
- Clarified that CBs must consider product families when determining the pool of products subject to verification testing. Specific guidance on determination of models subject to verification testing will be given during the CB application process, as this procedure varies by product category. EPA appreciates commenter concerns

regarding the number of products subject to verification testing, and will account for the diversity of products in the ENERGY STAR program when providing guidance to CBs.

Collaboration with Other Programs

With the finalization of the CB requirements, EPA would like to take this opportunity to alert potential CBs to the potential for more broadly supporting the ENERGY STAR program.

In California, manufacturers of certain products are subject to the Appliance Efficiency Regulations in Title 20 of the California Code of Regulations, requiring the submittal of specific product information to the California Energy Commission (CEC). Product models in these categories that are not certified to the CEC, and not listed in the CEC's appliance efficiency database, are not eligible to be sold or offered for sale in California. Accordingly, rebates and other efforts to promote the sale of ENERGY STAR qualified product models in California are potentially undermined if those models are not compliant with Title 20 and not listed in the CEC's appliance database. EPA encourages prospective ENERGY STAR CBs to offer a Title 20 reporting service in conjunction with their ENERGY STAR certification programs to facilitate greater penetration of ENERGY STAR products in the California market, and reduce the reporting burden for ENERGY STAR partners. Links to California's Appliance Efficiency Regulations, and certification information for the CEC's Appliance Efficiency Program can be found at: <http://www.energy.ca.gov/appliances/>.

Globally, EPA has effectively franchised the ENERGY STAR program to a number of other countries and regions, including Canada and the European Union. While these partner countries and regions have the discretion to tailor testing and verification requirements for their markets, EPA anticipates that some, if not all, will choose to leverage certification programs operating in the U.S. EPA expects to work with CBs on a case-by-case basis to address coordination issues as they arise.

CB Application Process and Next Steps

An application for EPA recognition of CBs will be available on the ENERGY STAR website in the coming weeks. The application will ask potential CBs to provide considerable information on their certification programs, including but not limited to their procedures for data review, verification testing, procurement of units for verification testing, challenge testing, and establishing confidence in witnessed or supervised manufacturers' testing laboratories. EPA will carefully review all procedures and documentation and will subsequently schedule conference calls with applicant CBs to discuss product-specific issues and elements of their proposed certification programs. These conversations will be considered part of the application process. EPA encourages interested organizations to submit an application as soon as possible; the Agency recognizes the significance of having a broad range of organizations involved to implement these important improvements to the program. EPA will post the names of all recognized CBs on its website.

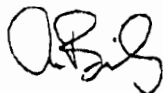
Applications for EPA recognition of ABs, and the list of currently recognized ABs, are available on the EPA website at www.energystar.gov/testingandverification. The application for laboratories is also available, and in the coming weeks, the Agency will begin accepting applications from labs that have an appropriate scope of accreditation granted by an EPA-recognized AB.

EPA is currently updating ENERGY STAR partner commitments and eligibility criteria to reflect the new testing and verification requirements, and plans to share drafts of these documents with stakeholders in early September. Proposed edits to the eligibility criteria will be narrow in scope and will not substantively modify the technical requirements for eligibility. EPA intends to finalize these updates in early October.

I encourage you to visit our site to track the Agency's progress in implementing the enhanced testing and verification program. Should you have any questions, please contact Eamon Monahan at monahan.eamon@epa.gov.

Thank you for your continued support of ENERGY STAR.

Sincerely,



Ann Bailey, Chief
ENERGY STAR Labeling Branch
U.S. Environmental Protection Agency

Appendix A-3: First time EPA mentioned anything about how the changes will affect existing products on Energy Star's website--webinar planned for Nov. 12 to discuss changes (6 weeks before changes go into effect!)



OFFICE OF
AIR AND RADIATION

October 26, 2010

Dear ENERGY STAR® Manufacturing Partner or Other Interested Party:

The U.S. Environmental Protection Agency (EPA) has finalized revisions to the ENERGY STAR Partner Commitments and Product Specifications to implement third-party certification requirements for ENERGY STAR qualified products. The purpose of this letter is to:

- Describe the changes made to these Program Requirements, which will be active January 1, 2011. A summary of key comments EPA received on proposed edits to these documents and EPA's response to these comments is attached to this letter;
- Provide instructions for manufacturer partners to recommit to the ENERGY STAR program and its third-party certification requirements;
- Explain how partners will qualify products beginning on January 1, 2011; and
- Invite manufacturer partners and other interested parties to join EPA on a conference call on November 12, 2010 at 1:00 PM Eastern Time to discuss the implementation of third-party certification requirements.

The Revised ENERGY STAR Partner Commitments and Product Specifications

On September 14, 2010, EPA shared with stakeholders updated Partner Commitments for each product category to support third-party certification requirements. At this time, EPA also proposed a limited set of refinements and formatting changes to the Eligibility Criteria (i.e., Product Specifications) and Test Methods for most ENERGY STAR product categories, with the intention of ensuring a clear and effective product qualification process. EPA reviewed, and in many cases, made changes in response to stakeholder comments on these documents. Stakeholder comments and the draft and final requirements can be found by visiting www.energystar.gov/testingandverification. In addition, a summary of major comments received and EPA's response to each of these is attached to this letter. The revised Partner Commitments and Product Specifications become active on January 1, 2011.

Recommitting to the Revised ENERGY STAR Partner Commitments and Product Specifications

EPA revised the Partner Commitments to include participation in third-party certification for the ENERGY STAR program. By recommitting, your organization is agreeing to abide by these new Program Requirements beginning on January 1, 2011. All organizations that wish to continue their partnership with EPA to manufacture and label products as ENERGY STAR must acknowledge their understanding and acceptance of these program changes. Recombitment

must take place by November 30, 2010 to avoid partnership interruption. To recommit, the primary or secondary ENERGY STAR contact for an existing partner must log into the My ENERGY STAR Account (MESA) tool by visiting www.energystar.gov/mesa. Instructions on how to recommit will be provided on the MESA Welcome screen. If your organization is unable to access the MESA tool, please contact the ENERGY STAR Hotline at 1-888-STAR-YES (1-888-782-7937) or hotline@energystar.gov. Please see the attached Questions and Answers document for more information on this important process.

Qualifying Products as ENERGY STAR

Submissions Received by EPA on or Prior to December 31, 2010. Partners may continue to submit eligible products to EPA using the existing system of a Qualified Product Information (QPI) form or the Online Product Submittal (OPS) tool through December 31, 2010. EPA must receive complete and correct submissions, including lab reports, by December 31, 2010 in order for the product submission to be processed by the Agency. To assist partners with preparing complete and accurate product submissions before this cut-off date, EPA has compiled the most common reasons for submittal rejection:

- Missing the lab report cover sheet. To download this required document, please visit www.energystar.gov/labreport.
- Missing required information in the lab report, including signatures. Please visit www.energystar.gov/labreport for information on the lab report requirements.
- The test data provided in the lab report does not match the data reported in the QPI form or OPS submission.
- Missing or incorrect equipment calibration data in the lab report.
- Missing or incorrect serial number(s) in the lab report cover sheet or lab report.

Submissions on or after January 1, 2011. Starting January 1, 2011, products may no longer be submitted to EPA for qualification. New products and products with incomplete submissions must be certified by an EPA-recognized Certification Body (CB) before the product is labeled.

For a list of EPA-recognized CBs by product category, visit

www.energystar.gov/testingandverification. To date, EPA has recognized: the Air Conditioning, Heating, and Refrigeration Institute (AHRI), CSA International, Intertek, Keystone Certification, National Fenestration Rating Council (NFRC), NSF International, and Underwriters Laboratories, Inc.

Currently Qualified Products

In conjunction with the institution of third-party certification for all new ENERGY STAR qualified products, EPA has established a plan for addressing products previously qualified under the self-certification framework. As a general principle, the Agency recognizes the merits of addressing these products in conjunction with changes in ENERGY STAR performance requirements, since such changes trigger the need for broad re-testing anyway. For most ENERGY STAR product categories, specification changes are pending or anticipated in 2011 or early 2012. For these categories, no product model will be permitted to carry the ENERGY STAR label after the effective date of the specification change unless it is third-party certified.

For a small number of product categories, EPA is not anticipating near-term specification changes. For those product categories, EPA will require that manufacturers submit both new and existing products for verification testing through an EPA-recognized CB. EPA will work with the relevant CBs to institute this additional requirement for the following categories and expects partners to share needed data with CBs no later than March 31, 2011. As a note, EPA is working with both NFRC and CRRRC, and is aware that manufacturers participating in AHRI's programs already participate in verification testing for all their products.

- Commercial Steam Cookers
- Commercial Refrigerators and Freezers
- Commercial Griddles (Gas)
- Central Air Conditioners & Air Source Heat Pumps
- Geothermal Heat Pumps (Water-to-Water)
- Light Commercial HVAC
- Roof Products
- Room Air Cleaners
- Windows, Doors, Skylights

Products with Revised Product Specifications Taking Effect in 2011 or Early 2012

For products whose specifications will change in 2011 or early 2012, partners do not need to take any action to maintain the ENERGY STAR qualification status of previously-qualified models until the revised specification takes effect. When the revised specification becomes effective, EPA will remove all previously-qualified products from the ENERGY STAR Qualified Product (QP) list. Partners must ensure all products, including those previously qualified, are third-party certified through a CB. These certified results will be the source of the new QP list.

Example: The Version 6.0 ENERGY STAR Residential Clothes Washer Specification takes effect on January 1, 2011. On January 1, only products that have been third-party certified as meeting the Version 6.0 eligibility criteria will appear on EPA's QP list. Partners are encouraged to take steps now to seek third-party certification for products that meet the Version 6.0 requirements. These certified results will be the source of the new QP list.

Example: The Version 2.0 ENERGY STAR Hot Food Holding Cabinet Specification will go into effect on July 1, 2011. To maintain the ENERGY STAR qualification status of previously-qualified products after July 1, products will need to be retested and certified by CBs. However, EPA will maintain the current QP list until July 1.

Example: The ENERGY STAR Room Air Cleaner Specification is not planned for revision. Therefore, if the manufacturer of a previously-qualified room air cleaner wishes to continue to market it as ENERGY STAR qualified, the manufacturing partner must form a relationship with an EPA-recognized CB and indicate that the model should be subject to verification testing.

Please note that to maintain the accuracy of all QP lists, it will be important that partners take action to review their list of previously-qualified products and contact EPA to remove products that are no longer available on the market.

Conference Call to Discuss Changes in Qualification Procedures

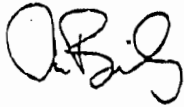
EPA will be hosting a conference call on Friday, November 12, 2010 from 1-2:30 PM US Eastern Time to share details of the enhanced testing and verification procedures with partners and to answer any outstanding implementation questions. To participate in this call, please RSVP by November 8, 2010 to ENERGYSTARVerificationProgram@energystar.gov.

Partners and other stakeholders may also go to http://www.energystar.gov/ia/partners/downloads/mou/ETV_FAQ.pdf for additional information about the third-party certification structure and its implementation.

EPA appreciates your partnership and looks forward to continuing to work with your organization as we enhance the integrity of the program and ensure that the ENERGY STAR continues to be a mark that consumers seek and trust to deliver savings.

Thank you for your continued support of ENERGY STAR.

Sincerely,



Ann Bailey, Chief
ENERGY STAR Labeling Branch
US Environmental Protection Agency

Currently Qualified Products

Specification changes anticipated in 2011 or early 2012



Appendix A-4: Slide from Nov. 12 presentation

- No product model will be permitted to carry the ENERGY STAR label after the effective date of the specification change unless it is third-party certified.
 - Includes specifications with January 1, 2011 effective dates.
 - EPA will maintain the list of currently qualified products until the specification change is effective.
 - After the specification change, EPA will generate qualified product lists based on information from recognized CBs.

Examples

- Residential Clothes Washers V6.1 goes into effect January 1, 2011. Qualified product list will be based only on certified products.
- Hot Food Holding Cabinet V2.1 goes into effect July 1, 2011. To maintain ENERGY STAR qualification, products will need to be certified. EPA will maintain the current list until July 1, 2011.



Appendix A-5: Direct contact with the EPA

From: <Monahan.Eamon@epamail.epa.gov>

Date: Mon, 15 Nov 2010 16:29:19 -0500

To: David Salyer <dsalyer@enertechmfg.com>

Subject: Re: Questions unanswered from conference call 12 Nov 2010

David,

As I mentioned on the phone, EPA is requiring all ENERGY STAR qualified water-to-air geothermal heat pumps to be third-party certified beginning January 1, including those previously qualified models that would still qualify under the new specification that becomes effective that day. However, that does not necessarily mean that all of your products must be retested. EPA will allow certification bodies to certify data from an old test. That is, you can approach a CB and request them to certify data from a test that you ran earlier; CBs can have a mechanism for accepting that data.

If there are units that must be re-tested to qualify for the new spec, EPA appreciates that it may be difficult for you to schedule all of your products before the new year. I mentioned on the phone a possible solution to this, but I spoke before I had consulted with our product lead on this issue. I have forwarded your email to her and I will talk to her asap to find a solution to this. I will let you know our decision as soon as I have one, but I did want to let you know that we are aware of the issue and interested in finding a mutually beneficial solution.

Let me know if you have any other questions, you'll hear from me again soon.

From: David Salyer <dsalyer@enertechmfg.com>

Date: Fri, 12 Nov 2010 15:03:07 -0600

To: <vokes.kathleen@epa.gov>, <monahan.eamon@epa.gov>,
<kaplan.katharine@epa.gov>

Conversation: Questions unanswered from conference call 12 Nov 2010

Subject: Questions unanswered from conference call 12 Nov 2010

Good Afternoon,

My name is David Salyer and I'm the Product Manager for Enertech Manufacturing, LLC. We produce geothermal heating and cooling systems. I sat in on today's conference call, but was unable to get a couple of my questions answered due to the time limit. I'm hoping that you can clarify some of these area where we have confusion.

1. Regarding the upcoming specification change for water-to-air geothermal heat pumps (Tier 2, 3.1) as of January 1, 2011.

As we understood it, all of the current Energy Star qualified products in this category would be grandfathered in so long as they were submitted to Energy Star in the appropriate manner before January 1 and met the new efficiency levels. After that, any new product would have to be certified through a third party. After speaking with a number of our fellow manufactures, this was their assumption as well.

As I heard today, and is listed on your presentation, these models would not be listed on Energy Star after January 1 until they were resubmitted for verification and testing through our CB. If that is the case, approximately 80% of our product line would have to be retested (20 + models) before they could be listed. At an average of 4 to 5 days of setup and testing per model, it would be sometime in February before we could have testing completed on all of these models. If you factor in any delay between the CB receiving the information, and then relaying it to you, and then the time it would take Energy Star to process this, it could be months before we'd see even the first model listed. This assumes we could get testing space or complete our accreditation process anytime soon. As a smaller manufacturer, this will cripple our business during this process due to the fact that Energy Star is linked to our largest incentives, the 30% federal tax credits. As the rules apply, units must be listed on Energy Star at the time of installation, so we could potentially be facing a period of critical uncertainty with our dealer and distributor base. I am hopeful that you understand the significance of this and that we are simply misunderstanding the information that is provided.

2. Disposition of current inventory.

Should the above end up being true, and the majority of our product line falls off of Energy Star while we go through the recertification process, how would we handle our current stock of equipment? At any given time, we carry between 250 and 300 units in-stock at our locations. This doesn't include the hundreds of other units in-stock at our distribution and dealer partners. If a unit was built before January 1, 2011, and qualified for Energy Star at that time, would the Energy Star label have to be removed? Or, would these still qualified as Energy Star products and still eligible for the 30% tax credit. Additionally, we have a large number of literature pieces that carry the Energy Star logo, and explain how the federal tax credits work. There could be tens of thousands of dollars worth of literature we couldn't use.

I don't think I can stress enough how important this is to customers and our business. There could be a great deal of confusion and liability for products being sold with the understanding that they would qualify for the

tax credit, but in reality not due to the wait to be relisted.

3. How do we explain all of this to our customer base?

We understand the need to keep Energy Star as a relevant, and recognized standard for green products. From our standpoint, we have operated within the guidelines, standards, and procedures from AHRI and provided accurate, verified data to them and to you. Now, we feel that we are being placed at huge competitive disadvantage from our larger competitors that have many times more resources and frankly dollars than we do though no fault of our own. What do we tell our dealers if a large percentage of our product line becomes basically unsellable while we try and get our products retested to verify data we've already certified as accurate to our governing body?

I hope you can respond as soon as possible to these questions. Should our listings be cleared, I will need to communicate this to our customers as soon as possible and then begin clearing out all of the product development we have underway in our labs. Please let me know if any of my questions are unclear, or if you need any further information.

Sincerely,

~David A. Salyer
Product Manager
Enertech Manufacturing, LLC
(618)-690-3246 Phone
(618)-664-4597 Fax

United States Senate

WASHINGTON, DC 20510

**FACSIMILE COVER PAGE
OFFICE OF SENATOR MARK KIRK**

To: EPA Today's Date: 12/9/10
Fax: (202) 501-1519 Pages: 18
Phone: _____ Subject: _____

From:

<input type="checkbox"/> Eric Elk	<input type="checkbox"/> Mike Zolnierowicz	<input type="checkbox"/> Jodie Anderson
<input type="checkbox"/> Lance Trover	<input type="checkbox"/> Susan Kuczka	<input type="checkbox"/> Matt Abbott
<input checked="" type="checkbox"/> Andrew Field	<input type="checkbox"/> Ed Murphy	<input type="checkbox"/> Rob Johnson
<input type="checkbox"/> Sam Keeley	<input type="checkbox"/> Kayleen Carlson	<input type="checkbox"/> Kirsten Kukowski
<input type="checkbox"/> Patrick Tiderman	<input type="checkbox"/> Andrew Weissert	<input type="checkbox"/> Megan Toal
<input type="checkbox"/> Brette Davis		

Comments:

**PLEASE CALL (312) 886-3506 IMMEDIATELY IF THERE ARE
ANY PROBLEMS WITH THE TRANSMISSION OF THIS FAX.**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 11 2011

The Honorable Mark Kirk
c/o Andrew Field
230 S Dearborn
Suite 3900
Chicago, Illinois 60604

OFFICE OF
AIR AND RADIATION

Dear Congressman Kirk:

Thank you for your letter of December 9, 2010 to David McIntosh, on behalf of Enertech Manufacturing, LLC, regarding the ENERGY STAR qualification requirements for geothermal heat pumps. I am pleased to respond on his behalf. In your letter, you note the concern that the Environmental Protection Agency (EPA) is not leaving enough time for manufacturers to comply with new third party certification requirements for ENERGY STAR qualified products, and requested that we investigate the concerns that Steve Smith of Enertech brought to your attention.

Enertech representatives, along with their representative from Bracewell Giuliani LLP, also contacted us. ENERGY STAR program staff spoke with them and the relevant certification body (CB), Air Conditioning Heating and Refrigeration Institute (AHRI), a number of times. As a result, we were able to provide clarification regarding the transition to third party certification which they indicated addressed their concerns.

Throughout the process of updating the ENERGY STAR program to use third party testing, we have worked with manufacturers and other stakeholders to ensure that highly efficient high quality products remain in the program. We are pleased to have Enertech as a partner and look forward to continuing to work with them.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Cheryl Mackay in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over a horizontal line.

Gina McCarthy
Assistant Administrator

AL-11-000-3890



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 08 2011

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

The Environmental Protection Agency's (EPA) Superfund program will be proposing the Sandoval Zinc Company site, located in Sandoval, Illinois, to the National Priorities List (NPL) by rulemaking. EPA received a Governor/State concurrence letter supporting the listing of the site on the NPL. Listing on the NPL provides access to federal cleanup funding for the nation's highest priority contaminated sites.

Because the site is located within your state, I am providing information to help in answering questions you may receive from your constituency. The information includes a brief description of the site, and a general description of the NPL listing process.

If you have any questions, please contact me or your staff may contact Carolyn Levine, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-1859. We expect the rule to be published in the Federal Register in the next several days.

Sincerely,

A handwritten signature in black ink that reads "Mathy Stanislaus".

Mathy Stanislaus
Assistant Administrator

Enclosures

NATIONAL PRIORITIES LIST (NPL)

Proposed Site

March 2011

SANDOVAL ZINC COMPANY | **Sandoval, Illinois**
Marion County

Site Location:

The Sandoval Zinc Company facility is located east of Sandoval, Illinois, approximately 1,440 feet east of U.S. Route 51 and 2,240 feet south of U.S. Route 50 at the eastern end of Smelter Road (a.k.a. Mississippi Avenue).

Site History:

The Sandoval Zinc facility was constructed on a 14.16 acre parcel of land in 1898 and operated as a primary zinc smelter. In 1915, the company began operating as a secondary zinc smelter. Compounds fed into the kilns were pure zinc, zinc oxide, zinc chloride, and possibly aluminum chloride and other trace metals. Large quantities of cinders and slag from the smelting process were used as fill material on the property. The cinders located at the site were also offered to the public and the Village of Sandoval for fill. The facility was closed in 1985, and the company filed for bankruptcy in 1986. Currently, the property is owned by a private individual with no activities taking place.

Site Contamination/Contaminants:

An uncontrolled waste pile made up of cinders and slag covers approximately five acres of the facility. The cinder/slag contains elevated levels of lead, zinc, and other metals. Contaminants have migrated from the site to a drainage ditch and adjacent pond and wetlands. Antimony, arsenic, cadmium, lead, mercury, nickel, and zinc were detected in the wetlands in excess of EPA's regional sediment screening values. Antimony, arsenic, lead, and zinc have been found in residential yards in excess of EPA's regional screening levels (RSLs).

Potential Impacts on Surrounding Community/Environment:

Access to the site is unrestricted. There are numerous signs of recreational use on the property. An estimated 1,500 people live within 1 mile of the facility. Trespasser contact with surface soil and sediment containing hazardous substances is possible. Hazardous substances have migrated from the waste pile to a designated wetland adjacent to the facility. Hazardous substances have been transported by various means, including stack deposition and filling, into residential yards and the Village of Sandoval.

Response Activities (to date):

On April 24, 1991, a seal order was placed on the abandoned facility by the Illinois EPA. The Illinois EPA undertook removal actions in November 1991 in response to a spill of fuel oil from an above ground storage tank. Additional cleanup activities performed by Illinois EPA in 1998 consisted of repairing and replacement of fencing, the removal and containerization of hazardous substances inside the buildings, and the demolition and disposal of site buildings.

Need for NPL Listing:

The State of Illinois referred the site to EPA to pursue a comprehensive cleanup to address human health and environmental risks posed by the site. Other federal and state cleanup programs were evaluated, but are not viable at this time. EPA received a letter of support for placing this site on the NPL from the state.

[The description of the site (release) is based on information available at the time the site was evaluated with the HRS. The description may change as additional information is gathered on the sources and extent of contamination.]

For more information about the hazardous substances identified in this narrative summary, including general information regarding the effects of exposure to these substances on human health, please see the Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs. ATSDR ToxFAQs can be found on the Internet at <http://www.atsdr.cdc.gov/toxfaq.html> or by telephone at 1-888-42-ATSDR or 1-888-422-8737.

NATIONAL PRIORITIES LIST (NPL)

WHAT IS THE NPL?

The National Priorities List (NPL) is a list of national priorities among the known or threatened releases of hazardous substances throughout the United States. The list serves as an information and management tool for the Superfund cleanup process as required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The NPL is intended primarily to guide EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances.

There are three ways a site is eligible for the NPL:

1. Scores at least 28.50:

A site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (HRS), which EPA published as Appendix A of the National Contingency Plan. The HRS is a mathematical formula that serves as a screening device to evaluate a site's relative threat to human health or the environment. As a matter of Agency policy, those sites that score 28.50 or greater on the HRS are eligible for inclusion on the NPL. This is the most common way a site becomes eligible for the NPL.

2. State Pick:

Each state and territory may designate one top-priority site regardless of score.

3. ATSDR Health Advisory:

Certain other sites may be listed regardless of their HRS score, if all of the following conditions are met:

- a. The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Department of Health and Human Services has issued a health advisory that recommends removing people from the site;
- b. EPA determines that the release poses a significant threat to public health; and
- c. EPA anticipates it will be more cost-effective to use its remedial authority than to use its emergency removal authority to respond to the site.

Sites are first proposed to the NPL in the *Federal Register*. EPA then accepts public comments for 60 days about listing the sites, responds to the comments, and places those sites on the NPL that continue to meet the requirements for listing. To submit comments, visit www.regulations.gov.

Placing a site on the NPL does not assign liability to any party or to the owner of any specific property; nor does it mean that any remedial or removal action will necessarily be taken.

For more information, please visit www.epa.gov/superfund/sites/npl/.

United States Senate

WASHINGTON, DC 20510

September 19, 2011

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

The Honorable J. Randolph Babbitt
Administrator
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591

Dear Administrators Jackson and Babbitt:

We write to encourage the Environmental Protection Agency (EPA) and the Federal Aviation Administration (FAA) to work closely together with representatives from the aviation sector in any efforts to transition from leaded avgas used by General Aviation (GA) aircraft to an unleaded alternative. While we understand and share your desire to remove lead from avgas, especially in light of potential litigation, we also need to ensure the EPA does not ban lead used in avgas until we have a safe, viable, readily available, and cost-efficient alternative.

Currently, leaded avgas is used to fuel approximately 150,000 piston-engine aircraft in the United States. As you know, lead boosts the octane of the fuel used in these aircraft, protecting the engines against early detonation and preventing engine failure in flight. Despite ongoing research and testing, there currently is no safe or affordable alternative to leaded avgas to meet the needs of the GA aircraft fleet and FAA standards that ensure their flight safety.

Without avgas, most existing GA aircraft engines will have to be de-rated from their currently-certified power levels in order to maintain the FAA-required detonation margins at an incredible cost to aircraft owners, operators, and the consumers who rely on their service. Arbitrarily imposed changes would also result in a significant loss of power that will reduce the performance and cargo capacity of many existing GA aircraft, severely limiting their usefulness. These changes also pose a significant flight safety concern as a reduction in power results in reduced aircraft performance leading to longer takeoff distances and lower aircraft climb rates.

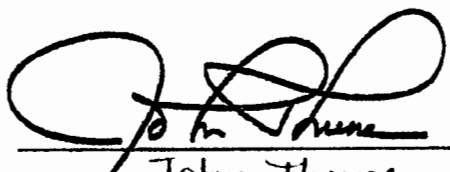
As you may be aware, GA contributes over \$150 billion annually to the national economy and supports approximately 1.2 million American jobs. However, GA is more than just revenue and jobs. GA serves medical providers, law enforcement, small businesses, and agricultural producers. Agricultural pilots treat more than 75 million acres of cropland each year. In addition, GA aircraft provide service to all of the 19,600 public and private

landing facilities in the United States. In our most rural communities GA aircraft are the only means of reliable, year-round transportation available. Therefore, the use of a new avgas that does not provide the same detonation protection as today's fuel would turn most single, twin-engine, and high-performance airplanes into non-airworthy aircraft drastically affecting the national economy.

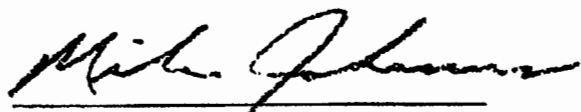
The GA industry, including aircraft and engine manufacturers, fuel producers and developers, as well as groups representing pilots and aircraft owners, play a key role in the process for finding suitable unleaded replacements for avgas. Each brings a mix of technical knowledge, historical perspective and market understanding to the discussion that must be considered to ensure General Aviation remains viable well into the future.

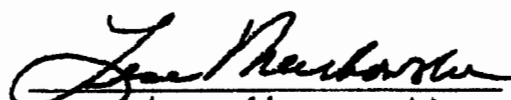
For these reasons, we urge both the EPA and FAA to work closely together with representatives of the GA sector and the House and Senate GA Caucuses in finding an alternative to leaded avgas. Furthermore, we urge you to carefully consider these concerns before you move forward with any rulemaking that would stop the use of leaded avgas before the FAA has an opportunity to take appropriate measures needed to approve a new, safe, and affordable unleaded avgas that takes into account the safety of those aboard the affected aircraft.


Sincerely,


John Thune


Mark Begich


Mike Johanns


Lisa Murkowski


Michael Enzi


Saxby Chambliss

James M. Clabby

James M. Clabby

Pat Roberts
Pat Roberts

Jon Tester
Jon Tester

John Hovan

Roy Blunt
Roy Blunt

Scott P. Brown

Lloyd Wickert

Richard B. Lugar
Richard Lugar

Dan Coats
Dan Coats

John Cornyn

Jim DeMint
Jim DeMint

John Cornyn
John Cornyn

Tim Wirth

Kay Bailey Hutchison
Kay Bailey Hutchison

Clare Kim

Jacklyn

Wynne D.E.

Max Buncas

Jerry Moran

John Buncas

AL-11-001-6125



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC - 1 2011

OFFICE OF
AIR AND RADIATION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of September 19, 2011, co-signed by 26 of your colleagues, to Administrator Jackson. Your letter requests that the Environmental Protection Agency and the Federal Aviation Administration (FAA) work closely together with representatives from the aviation sector in any efforts to transition general aviation aircraft from leaded aviation gasoline (avgas) to an unleaded alternative. Specifically you noted concern regarding a ban on lead used in avgas before a safe, viable, readily available, and cost-efficient alternative is available.

I would like to clarify the EPA's role and actions on this issue: the EPA does not have regulatory authority over the composition or chemical or physical properties of aviation fuels. The EPA has the authority to establish emissions standards for aircraft under Clean Air Act section 231, and is responsible for judging whether emissions from aircraft, including aircraft lead emissions, cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare. FAA, however, has the authority to regulate the content of aviation fuel. The EPA is coordinating on an ongoing basis with FAA, and will continue to do so, on our activities related to the use of lead in aviation fuel.

The EPA published an Advance Notice of Proposed Rulemaking (ANPR) in April 2010 regarding leaded avgas. The purpose of the ANPR was to describe available data and request comment related to lead emissions, ambient concentrations of lead, and potential exposure to lead from the use of leaded avgas. The ANPR was issued in part in response to a rulemaking petition submitted by Friends of the Earth in 2006 concerning leaded avgas. Since then, the EPA has continued to gather and analyze relevant information. The ANPR and our current analytical work are focused on the issue of endangerment, which is the first step in a long regulatory process. We are mindful of the complexity of the issues involved, and the EPA is moving forward in a thorough and deliberate manner. Our analytical work and data collection is likely to continue over the next one to two years.

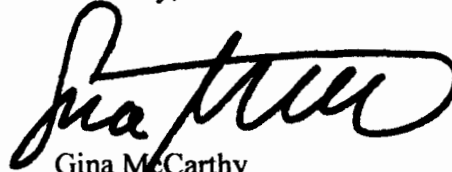
I want to assure you that the EPA recognizes the importance of piston-engine general aviation throughout the United States. Furthermore, safety considerations are always a high priority for us. We will be working in concert with FAA, industry and aviation groups to keep piston-engine powered airplanes flying safely, and in an environmentally responsible manner.

Any EPA regulatory action to address lead emissions from aircraft would involve a thorough process of identifying options and would consider safety, economic impacts and other impacts. This would be done in concert with the FAA, states, industry groups and user groups.

We appreciate the information you submitted about the importance of general aviation to the national economy, rural communities, and American businesses and jobs. We look forward to continuing our dialogue with FAA and the general aviation sector, as well as the House and Senate General Aviation Caucuses.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", with a large, sweeping flourish at the end.

Gina McCarthy
Assistant Administrator

AL-12-000-1437

United States Senate

WASHINGTON, DC 20510

January 18, 2012

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW.
Washington, DC 20460

Re: Air Docket EPA-HQ-OAR-2008-0476

Dear Administrator Jackson:

We urge U.S. EPA to consider the 2011 ozone data submitted by the State of Illinois when deciding whether to designate northeastern Illinois in attainment with 2008 ground-level ozone standards.

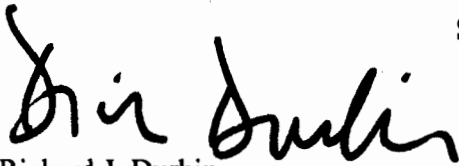
It is our understanding that the data from 2008-2010 support EPA's finding of lower ozone levels in northeastern Illinois. While these lower ozone levels are good news, the 2011 data show an increase in ozone and that the air quality improvement is not sustainable. We do not want to see northeastern Illinois incorrectly placed into compliance with ground-level ozone standards and lose access to the tools needed to help the region achieve sustainable improvements in air quality.

One example of the resources helping the region improve air quality is the Congestion Mitigation and Air Quality (CMAQ) Improvement Program. This program has facilitated projects ranging from enhancement of bus service along the Jane Addams Tollway in suburban Chicago to roadway intersection improvements throughout northeastern Illinois.

Better air quality is vital for the health and well-being of Illinois residents. Should northeastern Illinois lose its nonattainment status, CMAQ and many other programs that help reduce traffic congestion and pollution would no longer be available and citizens will continue to be subject to unacceptable levels of smog, associated with lung damage, asthma and respiratory difficulties.

We respectfully request you consider including the 2011 data when revisiting EPA's current ozone nonattainment designations. Please do not hesitate to contact our offices should you have any additional questions.

Sincerely,



Richard J. Durbin
U.S. Senator



Mark S. Kirk
U.S. Senator

AL-14-000-9990

United States Senate

WASHINGTON, DC 20510

May 22, 2014

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
U.S. EPA Headquarters – William J. Clinton Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy,

We are writing to request that the Environmental Protection Agency (EPA) provide at least a 120 day comment period on the upcoming draft proposal for the regulation of greenhouse gases from existing power plants. The EPA should provide this extended comment period as soon as the proposed rule is noticed in the federal register, given the significant impact this rule could have on our nation's electricity providers and consumers, on jobs in communities that have existing coal-based power plants, and on the economy as a whole.

The upcoming proposal will be far more complex and critical for the industry to deal with than the proposal for new plants, and stakeholders will need time to analyze the rule and determine its impact on individual power plants, reliability and consumer cost, and on the electric system as a whole. This analysis will be no small undertaking, as this will be the first ever regulation of greenhouse gases from existing power plants. EPA recognized that additional time was needed and extended the original 60 day comment period for the Agency's proposal regarding new source performance standards for newly constructed power plants, so it only makes sense to provide at least the same timeline from the outset for the existing plant rule.

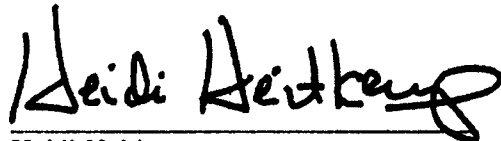
Affordable, reliable, and redundant sources of electricity are essential to the economic well-being of our states and the quality of life of our constituents. While we all agree that clean air is vitally important, EPA has an obligation to understand the impacts that regulations have on all segments of society. As one step toward fulfilling this obligation, we urge you to provide for a comment period of at least 120 days on the forthcoming performance standards for existing coal-based power plants.

Thank you for your consideration of this request.

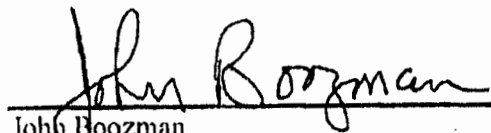
Sincerely,

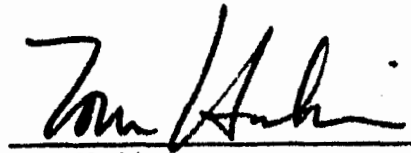


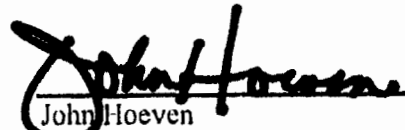
Deb Fischer
United States Senator




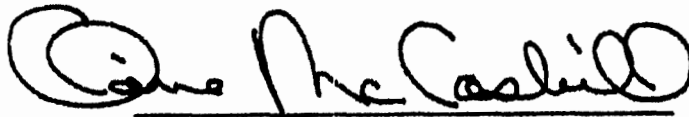
Heidi Heitkamp
United States Senator

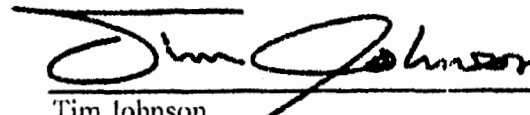

John Boozman
United States Senator



Tom Harkin
United States Senator

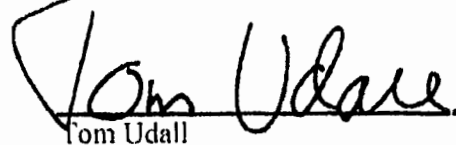

John Hoeven
United States Senator

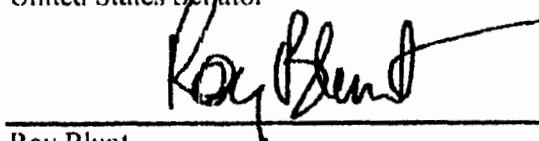

Mark Warner
United States Senator



Claire McCaskill
United States Senator

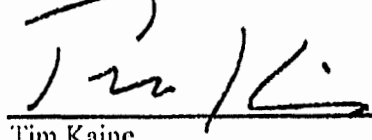

Tim Johnson
United States Senator

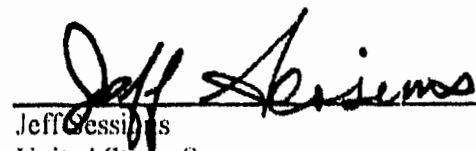

Lindsey Graham
United States Senator

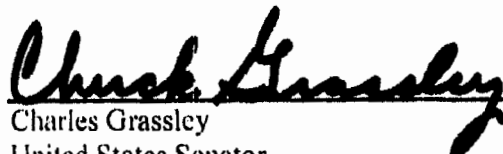

Tom Udall
United States Senator



Roy Blunt
United States Senator

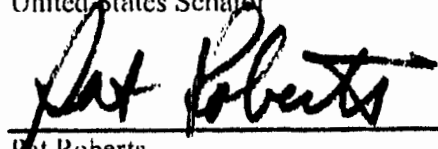

Mike Enzi
United States Senator

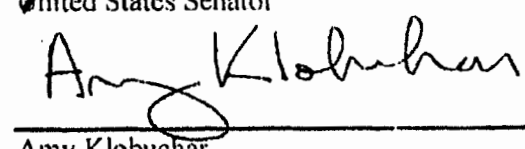

Tim Kaine
United States Senator

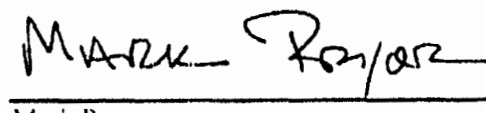

Jeff Sessions
United States Senator

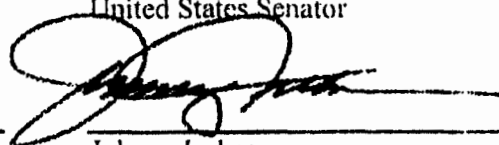

Charles Grassley
United States Senator


John Thune
United States Senator

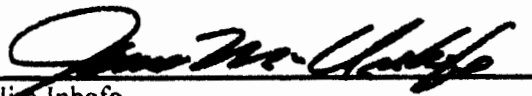

Pat Roberts
United States Senator


Amy Klobuchar
United States Senator

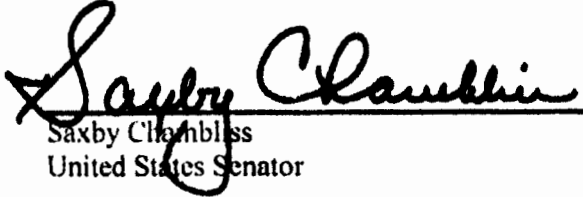

Mark Pryor
United States Senator


Johnny Isakson
United States Senator

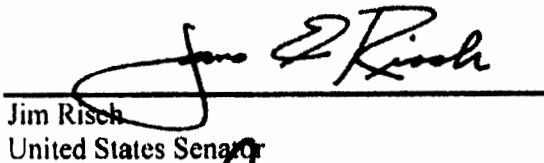
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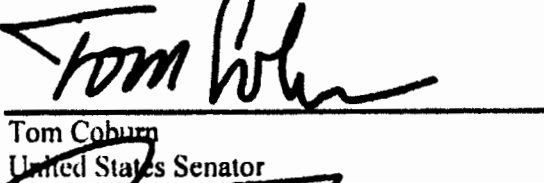
Jim Inhofe
United States Senator



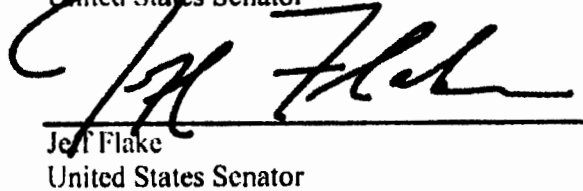
Saxby Chambliss
United States Senator



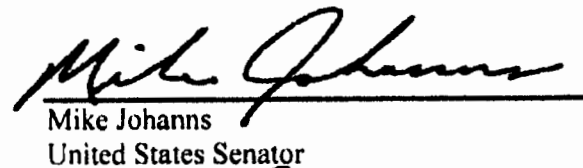
Jim Risch
United States Senator



Tom Coburn
United States Senator



Jeff Flake
United States Senator



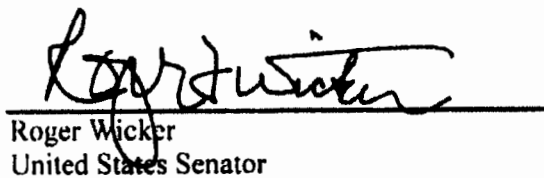
Mike Johanns
United States Senator



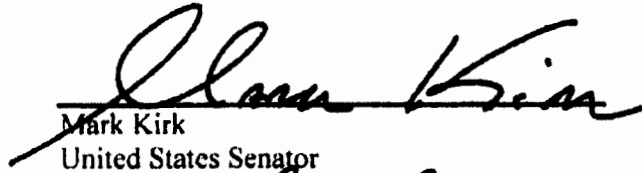
Tim Scott
United States Senator



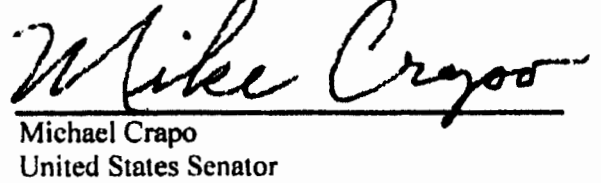
Mark Begich
United States Senator




Roger Wicker
United States Senator



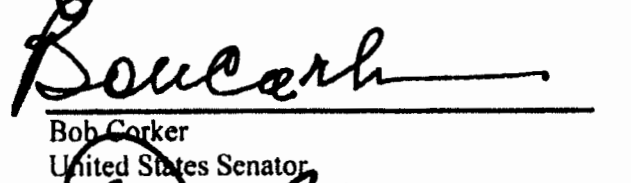
Mark Kirk
United States Senator



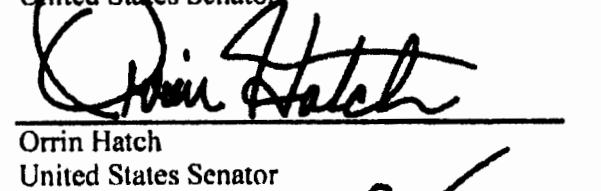
Michael Crapo
United States Senator



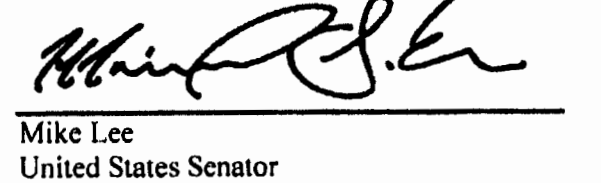
John Barrasso
United States Senator



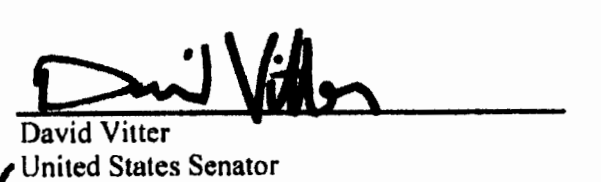
Bob Corker
United States Senator



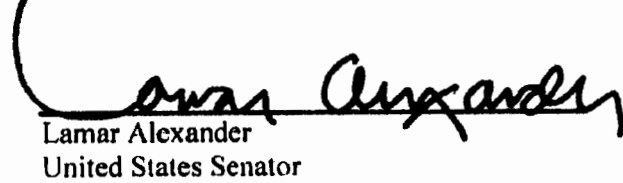
Orrin Hatch
United States Senator



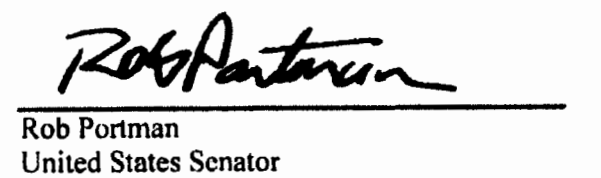
Mike Lee
United States Senator



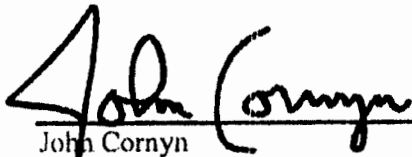
David Vitter
United States Senator



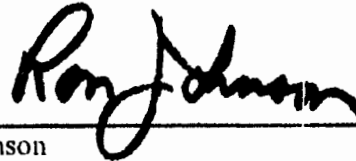
Lamar Alexander
United States Senator



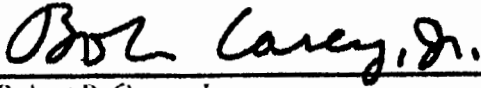
Rob Portman
United States Senator



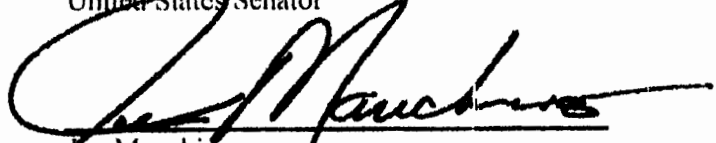
John Cornyn
United States Senator




Ron Johnson
United States Senator



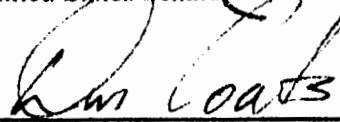
Robert P. Casey, Jr.
United States Senator



Joe Manchin
United States Senator



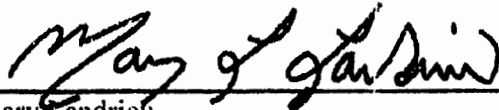
Joe Donnelly
United States Senator



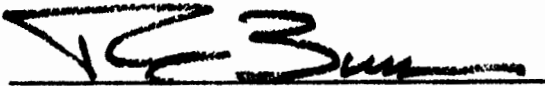
Dan Coats
United States Senator



John Walsh
United States Senator



Mary Landrieu
United States Senator



Richard Burr
United States Senator

AL-14-000-9990



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 2, 2014

OFFICE OF
AIR AND RADIATION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of May 22, 2014 to Administrator Gina McCarthy, requesting that the U.S. Environmental Protection Agency include a 120-day comment period on our proposed Clean Power Plan, also known as the Carbon Pollution Guidelines for Existing Power Plants. The Administrator has asked me to respond on her behalf.

As you know, the EPA conducted unprecedented outreach while developing this proposal. We met with stakeholders from around the country, including representatives from state and local governments, electric utilities, and civil society. Among the many creative ideas and constructive comments offered were requests similar to yours, to ensure that the comment period allowed the public sufficient time to provide meaningful input on this proposed rule.

Recognizing that the proposal asks for comment on a range of issues, some of which are complex and novel, the EPA has decided to propose this rule with a 120-day comment period. This will allow the EPA to solicit advice and information from the many stakeholders and citizens who we expect will be interested in this rulemaking, giving us the best possible information on which to base a final rule. The proposed rule, as well as information about how to comment and supporting technical information, are available online at: <http://www.epa.gov/cleanpowerplan>. Comments on the proposed guidelines should be identified by Docket ID No. EPA-HQ-OAR-2013-0602.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kevin Bailey in the EPA's Office of Congressional and Intergovernmental Relations at bailey.kevinj@epa.gov or (202) 564-2998.

Sincerely,

A handwritten signature in black ink, appearing to read "J. G. McCabe", is positioned above the typed name.

Janet G. McCabe
Acting Assistant Administrator

AL-15000-5217

United States Senate

WASHINGTON, DC 20510

February 9, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

We write to convey our continued concern regarding delays in establishing biodiesel volumes under the Renewable Fuel Standard (RFS).

As you know, the Environmental Protection Agency (EPA) has not yet finalized the 2014 RFS standards and announced recently that it would not do so until this year. Additionally, the 2015 standard for biodiesel is also now approximately one year late, and the 2016 standard should have been established by December 2014.

Biodiesel is the first EPA-designated advanced biofuel under the RFS to reach commercial scale production nationwide. It is exceeding the goals that Congress envisioned when it created the RFS with bipartisan support in 2005. It is clear that the biodiesel industry has met the criteria for growth, and under the law, its volumes are to be promulgated independently of the other fuel categories.

Indeed, the timetables for biodiesel are unique under the RFS. In creating the program, Congress directed the EPA to establish the Biomass-Based Diesel volume at least 14 months before the applicable year in which the requirement takes effect. This is because unlike other fuel categories under the RFS, the law did not include a pre-determined volume schedule for Biomass-Based Diesel. Instead, it directed the EPA to establish annual volumes based on industry capacity, feedstock availability, and other factors.

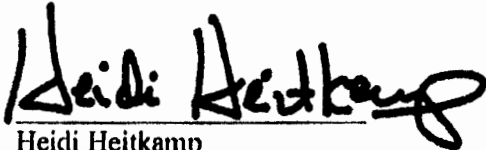
EPA's recent actions have neither reflected industry capacity nor biodiesel's separate treatment under the RFS. The recent delay has only compounded the effects from the November 2013 RFS proposed rule which did not adequately reflect biodiesel production levels. These actions continue to create tremendous uncertainty and hardship for the U.S. biodiesel industry and its thousands of employees. Plants have reduced production and some have been forced to shut down, resulting in layoffs and lost economic productivity.

We urge you to get biodiesel back on schedule under the statutorily prescribed Renewable Volume Obligations (RVO) process and quickly issue volumes for 2014 at the actual 2014 production numbers. We also hope you move forward on the 2015 and 2016 biodiesel volumes in a timely manner, ensuring that these delays do not become the norm for the industry. Furthermore, volumes for 2015 and beyond must be increased to take into account EPA's recent

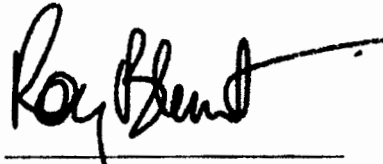
decision to allow imports from Argentinean renewable fuel producers to participate in the RFS and to prevent displacement of domestic production.

Like many industries, the biodiesel industry requires certainty in order to plan for production in the next year. As such, the Administration risks causing further disinvestment and lost jobs if these decisions are not made in a timely manner. Thank you for your consideration.

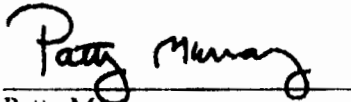
Sincerely,



Heidi Heitkamp
United States Senate



Roy Blunt
United States Senate



Patty Murray
United States Senate



Chuck Grassley
United States Senate



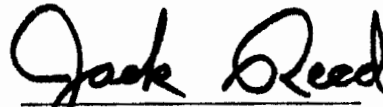
Mazie K. Hirono
United States Senate



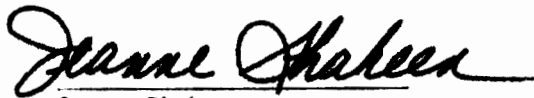
Debbie Stabenow
United States Senate



Claire McCaskill
United States Senate



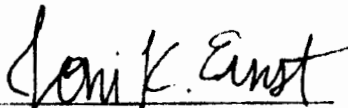
Jack Reed
United States Senate



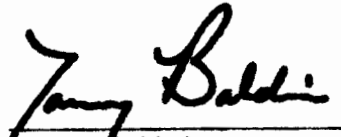
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United States Senate



Sherrod Brown
United States Senate



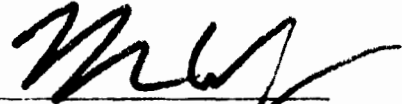
Joni Ernst
United States Senate



Tammy Baldwin
United States Senate



Maria Cantwell
United States Senate



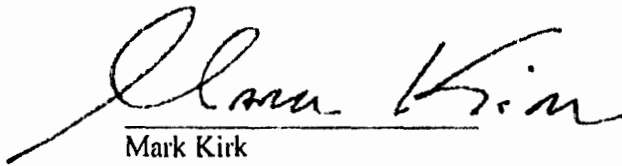
Ron Wyden
United States Senate



Deb Fischer
United States Senate



Martin Heinrich
United States Senate



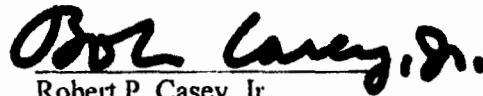
Mark Kirk
United States Senate



Sheldon Whitehouse
United States Senate



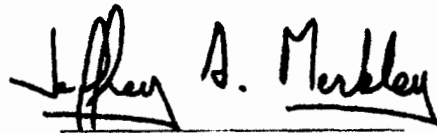
Richard Durbin
United States Senate



Robert P. Casey, Jr.
United States Senate



Amy Klobuchar
United States Senate



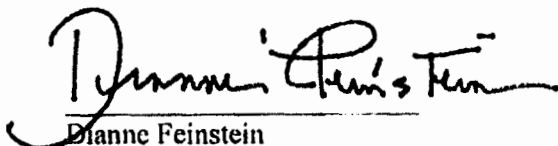
Jeffrey A. Merkley
United States Senate



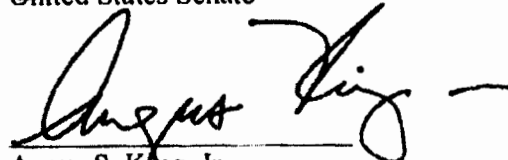
Al Franken
United States Senate



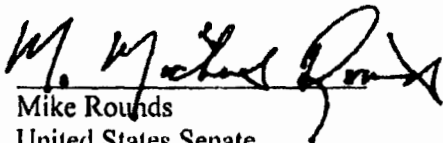
Joe Donnelly
United States Senate



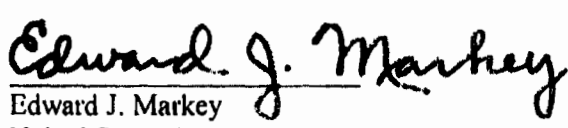
Dianne Feinstein
United States Senate

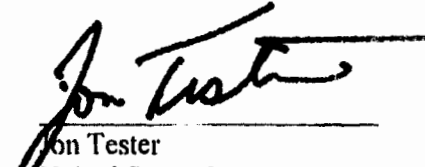


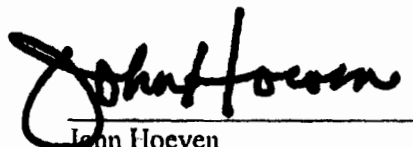
Angus S. King, Jr.
United States Senate


Mike Rounds
United States Senate


Brian Schatz
United States Senate


Edward J. Markey
United States Senate


Jon Tester
United States Senate


John Hoeven
United States Senate


Susan M. Collins
United States Senate

cc: The Honorable Tom Vilsack, Secretary, U.S. Department of Agriculture
The Honorable Shaun Donovan, Director, Office of Management and Budget



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 22 2015

OFFICE OF
AIR AND RADIATION

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of February 9, 2015, regarding the Renewable Fuel Standard (RFS) program.

Under the Clean Air Act, as amended by the Energy Independence and Security Act of 2007, the U.S. Environmental Protection Agency is required to set annual standards for the RFS program each year. In November 2013, the EPA proposed to establish the annual percentage standards for cellulosic, biomass-based diesel, advanced biofuel, and total renewable fuels that apply to gasoline and diesel produced or imported in the year 2014. In proposing the 2014 RFS standards, the EPA sought to advance the broader goal of the RFS program to spur long-term growth in renewable fuels, while taking account of the need to overcome the constraints that exist in the market and fuel system today.

That proposal generated a significant number of comments and diverging views, particularly on the proposal's ability to ensure continued progress toward achieving the law's renewable fuel targets. The EPA, in consultation with other federal agencies, evaluated these issues in light of the purposes of the statute and the Administration's commitment to its goals. Ultimately, we decided that we would not be able to finalize the 2014 volume standards before the end of 2014, a decision we announced last November.

I recognize the delay in issuing the RFS standards has exacerbated uncertainty in the market for both renewable fuel producers and obligated parties, and I am committed to getting this program back on track. To that effect, we intend to complete rulemakings for 2014, 2015 and 2016 for all the RFS standards in 2015. We will also propose and finalize biomass-based diesel standards for 2017. To accomplish these goals, we intend to issue a proposed rule by June 1, 2015, and to finalize the rule by November 30, 2015. The proposal will be out very soon. We look forward to briefing you and your staff on it promptly, and to your comments.

With regard to the approval of the alternative renewable biomass tracking program submitted by CARBIO (Camara Argentina de Biocombustibles, or the Argentine Chamber of Biofuels), the EPA's RFS regulations allow biofuel producers, both domestic and foreign, to request the EPA's approval of such plans under 40 CFR 80.1454(h). These regulations were established as part of the RFS program following a public notice and comment process. After a thorough review of CARBIO's alternative tracking program, on January 27, 2015, the agency determined that the CARBIO program meets the agency's stringent requirements. This determination and the regulation mentioned above are each the subject of pending litigation.

Again, thank you for your letter. If you have further questions or concerns, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe", with a stylized flourish at the end.

Janet G. McCabe
Acting Assistant Administrator

United States Senate

WASHINGTON, DC 20510

May 5, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

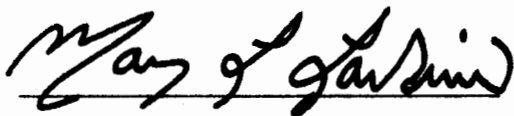
Dear Administrator Jackson:

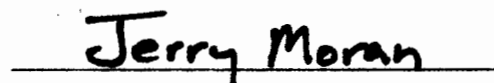
As you are aware, Congress passed H.R. 1473, the Department of Defense and Full-Year Continuing Appropriations Act of 2011, last month. Unfortunately, this legislation did not include specific language to provide funding for technical assistance and training for rural water utilities. This funding has been critical in helping rural communities comply with national drinking water standards since 1976. In dealing with complex regulations, small communities often need assistance to improve and protect their water resources. In implementing national priorities and standards, we must also address the unique needs of these communities.

Secondly, it is important to place greater weight on initiatives that are effective and produce tangible results when making funding decisions. The technical assistance made possible by past funding of this program has enabled rural water utilities to provide quality drinking water in spite of their limited economies of scale. This assistance has and will continue to help rural water systems from Louisiana to Kansas to Alaska, and every other state in the nation, comply with national laws and regulations.

We respectfully request that you allocate \$15 million in the Environmental Protection Agency Programs and Management account to carry out the Safe Drinking Water Act's technical assistance authorization provision (PL 104-182, 42 USC § 300j-1). If it is not possible to fund this competitive grant program, please let us know how the Environmental Protection Agency intends to ensure our nation's rural communities have the resources necessary to deliver safe drinking water. Thank you in advance for your consideration of this critical issue.

Sincerely,





Bert Sanders

Susan M. Collins

J. A. L.

Ron Wyden

Al Franken

Jim Johnson

Chuck Sch

Ang Klobuchar

Tom Carper

My Baccus

Deanne Shaker

Kent Conrad

Jay Byrnes

Sen. J. Kerry

Sen. M. Udall

John Hoven

Chiri Coen

Paul Boych

Carl Levin

Patrick Leahy

Peggy Murray

Kirsten E. Gillibrand

Clara Kim

Jon Tester

Jim Inhofe

Lee Hefner

Mark Royce

Tom Harkin

Mark Royce

AL-11-000-6333

United States Senate

WASHINGTON, DC 20510

March 21, 2011

The Honorable Lisa P. Jackson
Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

We are writing in regard to a recent report in the Chicago Tribune detailing Metropolitan Water Reclamation District of Greater Chicago (MWRD) overflows into Lake Michigan. Despite considerable investment in the Chicago area's storm water storage and treatment infrastructure through the "Deep Tunnel" project, the newspaper reported MWRD dumped approximately 19 billion gallons of storm water and sewage from 2007 and 2010, often the result of extraordinary rains. This is a marked increase from the 12 billion gallons that were dumped from 1985 to 2006.

It is our understanding that the U.S. Environmental Protection Agency is reviewing sewage overflows into Lake Michigan and its tributaries. As EPA moves forward with this investigation, we request the EPA publish its findings regarding the public health implications of these overflows, as well as the connection to Illinois beach closures.

The Great Lakes are a vital resource, providing a rich natural habitat, miles of beaches and water recreation, and it is a source of drinking water to 30 million Americans. There is no doubt that MWRDs considerable modernization efforts prevent billions of gallons of polluted water from emptying into the Chicago Waterway System; however, the recent report of continued polluted water flowing into the Lake Michigan is very concerning and has rippling effects on human health and the community.

According to the Natural Resources Defense Council, Illinois beaches were closed or had contamination advisories 627 times in 2009, an increase of more than 17 percent from 2008 levels. Swim bans at Chicago's beaches are often implemented due to high levels of harmful pathogens like E.coli., which costs the local economy \$2.4 million each year in lost revenue. The extent to which the EPA can determine the link between this chronic overflow and causes for beach closures is of great significance.

Lake Michigan is a national treasure and the region's most precious natural resource. It is imperative that we work to improve our water quality, and restore healthy shores for generations to come.

We share your commitment to protecting the Great Lakes from pollution and sewage dumping and thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kirk". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Mark Kirk
United States Senator

A handwritten signature in black ink, appearing to read "Dick Durbin". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Richard Durbin
United States Senator

AL-11-000-6333



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 25 2011

REPLY TO THE ATTENTION OF:

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20515

Dear Senator Kirk:

It was a pleasure speaking with you this past Sunday during the Chicago River boat tour and press event. I have enclosed a copy of EPA's May 11th "determination letter," which requires upgraded water quality standards for portions of the Chicago Area Waterway System (CAWS). A decade of investments in walkways, boat ramps and parks have provided people with access to the water - - and we now need to make sure that the water is safe. Thank you for your support of these efforts.

I also want to thank you for your ongoing leadership and support on Great Lakes issues and for your recent letter expressing concern about the releases of contaminated water into Lake Michigan as a result of combined sewer overflow (CSO) problems. Control of CSOs is one of my highest priorities. The U.S. Environmental Protection Agency is requiring communities with CSO problems throughout the Midwest to develop and implement long-term control plans. In the Chicago area, we continue to push the Metropolitan Water Reclamation District of Greater Chicago to expeditiously complete the Tunnel and Reservoir Plan, which will dramatically reduce the frequency and volume of CSOs in the Lake Michigan basin and throughout the Region.

EPA is committed to helping states and beach managers identify sources of contamination that foul Great Lakes beaches and correct the problems that contribute to beach closings. In the past year, EPA has given 43 Great Lakes Restoration Initiative grants totaling more than \$10 million to beach management entities to identify and reduce or eliminate sources of pollution affecting beaches.

Thank you for your letter and your strong leadership on Great Lakes and CAWS issues. If you have further questions, please contact me or your staff may contact Ronna Beckmann or Denise Gawlinski, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in black ink, appearing to be "SH", followed by a long horizontal line.

Susan Hedman
Regional Administrator

Enclosure



THE NORTHEAST-MIDWEST SENATE COALITION
GREAT LAKES TASK FORCE

May 12, 2011

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

As Senators from the Great Lakes and co-chairs of the Great Lakes Task Force, we are concerned about Ontario Power Generation's proposal for the disposal of low- and intermediate-level nuclear waste near Kincardine, Ontario, near the shore of Lake Huron.

Under the proposed plan, low- and intermediate-level nuclear waste would be permanently buried in a repository approximately one mile from the shore of Lake Huron near Kincardine, Ontario. The physical composition of the waste expected to be deposited at this site consists, in part, of hazardous materials, including heavy metals such as lead and mercury, chlorinated benzenes and phenols, and polychlorinated biphenyls. We are deeply concerned about the immediate and long-term effects this repository may have on the health of the Great Lakes and the wellbeing of the surrounding population.

The Boundary Waters Treaty of 1909 states that "waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other" and the Great Lakes Water Quality Agreement stipulates that pollution from industrial sources shall be treated and controlled. We would like to understand how the Environmental Protection Agency (EPA) is assessing the potential impact on the Great Lakes of the proposed Kincardine facility for both the radioactive nuclear waste, as well as the hazardous materials. In addition, please explain how EPA has engaged with the relevant Canadian authorities regarding this potentially harmful repository, specifically with respect to impacts on the Great Lakes.

Thank you for your attention to this matter. If you have any questions please contact us or have your staff contact Sarah Walter at (202) 224-2854 or Sarah_Walter@kirk.senate.gov or Christine Muchanic at (202) 224-6221 or Christine_Muchanic@levin.senate.gov.

Sincerely,


MARK KIRK
United States Senator


CARL LEVIN
United States Senator

11-000-8536



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 13 2011

REPLY TO THE ATTENTION OF:

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your May 12, 2011 letter concerning Ontario Power Generation's proposal for the disposal of low- and intermediate-level nuclear waste near Kincardine, Ontario in the Lake Huron watershed. The U.S. Environmental Protection Agency shares your concern regarding the Deep Geologic Repository Project. We are working with EPA's Office of International Activities and the Department of State to engage with Canadian authorities to urge proper handling and storage of nuclear material within the Great Lakes basin.

Again, thank you for your letter and your continuing support of the Great Lakes. We look forward to working with you on this important issue. If you have further questions, please contact me or your staff may contact Ronna Beckmann or Denise Gawlinski, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in black ink, appearing to read "S Hedman", is written over a horizontal line.

Susan Hedman
Regional Administrator

AL-13-000-5721

Congress of the United States
Washington, DC 20515

May 21, 2013

The Honorable Bob Perciasepe
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Administrator Perciasepe:

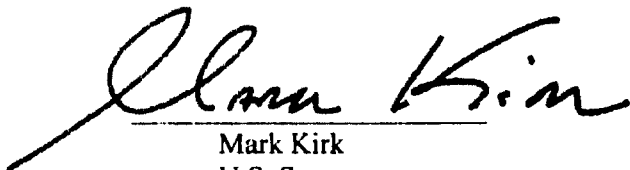
We write in support of remedial action on Operational Units One and Two at the Eagle Zinc superfund site (ILD980606941), located in Hillsboro, Illinois.


Encompassing 132 acres, the Eagle Zinc site has several features that make it attractive for economic development. Once remediated, it would represent an economic boon to the surrounding area. The site is in close proximity to both Class I rail access and 80,000 lb. roads and truck routes. It is located near electrical utilities, and has an established history of industrial use. Finally, it is located within an Illinois Enterprise Zone, and would allow businesses seeking to develop the site to claim significant tax incentives.

We will also note that with a Hazard Ranking System (HRS) score of 50.0, the Eagle Zinc site scores the same or higher than three of the four sites approved for cleanup action by the EPA on March 29, 2013.

In light of the above facts, we ask you to provide the Eagle Zinc superfund site every consideration.

Sincerely


Mark Kirk
U.S. Senator


Rodney Davis
U.S. Representative



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 31 2013

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your letter of May 21, 2013, in support of the remedial actions at the Eagle Zinc Superfund Site in Hillsboro, Illinois. I appreciate your interest in the Superfund program.

In September 2009, the U.S. Environmental Protection Agency (EPA) selected an interim action cleanup plan for Operable Unit (OU) 1 at the site that includes demolition and consolidation of on-site contaminated buildings waste. The EPA has completed the design for this remedy, and the project is currently awaiting Superfund program funds to initiate new construction work. The EPA selected a cleanup plan in September 2012 for OU 2 that addresses remaining soil or groundwater contamination associated with the site. The design for the operable two remedy is underway, and the EPA anticipates the project will not be ready to proceed to construction until fiscal year 2014.

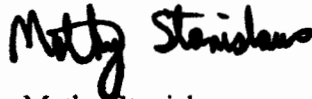
The EPA does not anticipate that program funding for OU 1 construction work will be available to begin the cleanup at the Eagle Zinc site this fiscal year. In fiscal year 2013, the EPA's appropriated budget for construction activities is approximately 25 percent less than it was in fiscal year 2011. The EPA places a high priority on maintaining ongoing work, in part because it is very costly to stop work, and has determined that funding for cleanups at Superfund sites should be allocated to those projects where construction activities are ongoing. Very few EPA-funded construction projects were started in fiscal year 2012, as funding was needed at those sites with construction underway and we expect that trend to continue in fiscal year 2013.

The EPA established a national panel of program experts in 1995 to determine funding priorities for all new Superfund construction projects requiring federal funding. The panel ranks the sites according to the risks they present to human health and the environment. The agency's senior managers use this ranking to determine which sites to fund. This national approach ensures that Superfund program resources are allocated to the projects posing the most risk to human health and the environment. At present, the limited funds available for new construction activities will be allocated to cleanups at a small number of sites posing the greatest risk to people's health and the environment.

The EPA believes the Eagle Zinc site does not pose an immediate risk to human health and the environment. If site conditions should change, the EPA can use its removal authority to address any imminent threat to human health or the environment. The EPA will keep you, local officials and the public informed about developments related to the site.

Again, thank you for your letter. If you have further questions please contact me or your staff may call Carolyn Levine, in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-1859.

Sincerely,

A handwritten signature in black ink, reading "Mathy Stanislaus". The signature is written in a cursive, slightly stylized font.

Mathy Stanislaus
Assistant Administrator



THE NORTHEAST-MIDWEST SENATE COALITION

GREAT LAKES TASK FORCE

October 22, 2013

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

Dear Administrator McCarthy:

As Great Lakes Senators, preserving the health and water quality of the Great Lakes is a top priority. As such, we remain deeply concerned with Ontario Power Generation's proposal to build an underground radioactive nuclear waste repository less than a mile inland from the shores of Lake Huron near Kincardine, Ontario. The proposed plan would allow low and intermediate waste produced from Canada's nuclear facilities to be stored approximately 120 miles upstream from the main drinking water intakes for Southeast Michigan.


We are concerned about the potential damaging impacts to both public health and water quality from this proposed repository and encourage the EPA to continue to be actively involved in Ontario Power Generation's proposal. Further, we would like you to demonstrate what precautionary measures are proposed to date that will be put in place to prevent any possible exceedances of water quality standards.

The Great Lakes are a vital resource to both the United States and Canada, supplying drinking water to nearly 40 million people. We cannot afford to put the safe water supply of millions of people in jeopardy. We urge EPA do everything possible to ensure that this proposed repository represents a zero threat to the Great Lakes.

Thank you for your attention to this matter. If you have any questions, please contact us or have your staff contact Sarah Walter at (202) 224-2854 or Sarah_Walter@kirk.senate.gov or Heidi Keller at (202) 224-6221 or Heidi_Keller@levin.senate.gov

Sincerely,


Mark Kirk, Co-Chair
United States Senator


Carl Levin, Co-Chair
United States Senator

AL-15-000-7476

United States Senate

April 6, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

I urge you to utilize Environmental Protection Agency (EPA) resources and put your own policy into practice by approving the City of Peoria's proposal to implement a "green" solution to enhance Peoria's management plan for combined sewer overflows (CSO).

The City of Peoria, like hundreds of other older U.S. cities, has a combined sewer system in which sanitary waste and rainwater runoff flow in the same set of underground wastewater pipes. Between 20 and 30 times a year, on average, heavy rains or snowmelt causes Peoria's combined sewers to overflow into the Illinois River. In the 1980s and 1990s, Peoria invested \$10 million in infrastructure to address CSOs; however, today, the city's CSO challenges remain. The City of Peoria now seeks EPA approval to deploy green infrastructure to address its wastewater runoff. The plan would also create local jobs and revitalize low-income areas of the city.

The City of Peoria presents the EPA with a unique opportunity to embrace a 100 percent green solution to improve the area's water quality. Rather than constructing a new series of traditional underground pipes, tunnels, and tanks, the City's proposal incorporates the use of innovative designs, including permeable pavers, rain gardens, and native trees and plants to mimic the way nature handles rain, by allowing it to soak into the ground close to where it falls. Not only would this plan provide numerous environmental benefits and an opportunity to utilize local labor, but solutions such as these can also offer a lower cost option for cities like Peoria, struggling with limited budgets and growing water management issues.

In March 2014, EPA issued guidance in support of green infrastructure alternatives and determined that in light of, "...the multiple environmental, economic and social benefits associated with green infrastructure ... EPA encourages the use of green infrastructure wherever appropriate."¹ In the same report, EPA admitted the need for increased flexibility when incorporating these innovative strategies into a city's management plan.

¹ U.S. Environmental Protection Agency, *Greening CSO Plans: Planning and Modeling Green Infrastructure for Combined Sewer Overflow (CSO) Control* (2014).

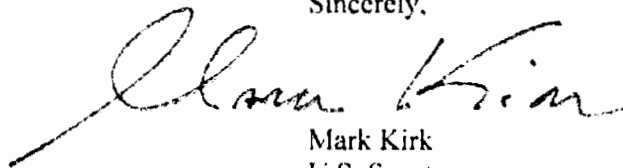
Specifically, the EPA stated, "if necessary, they [cities] can modify designs of remaining planned projects to meet a CSO control goal, or retrofit existing practices as necessary."

As I understand, the City of Peoria is willing to work with EPA to adapt its proposed plan if it becomes necessary to achieve mutual CSO control goals.

Last month, negotiations between the EPA and the City of Peoria were again extended for the twenty-second time since 2006. To date, the City of Peoria has yet to receive a final determination from the EPA on its green plan, even though it would improve the environment, reduce wastewater treatment needs, and provide a more livable community for all city residents. I support the City of Peoria's 100 percent green infrastructure proposal, which has the potential to be a roadmap for other communities grappling with wastewater management issues, including those in the Great Lakes basin and across the nation.

As your negotiations with the City of Peoria continue, I urge you to follow your Agency's own guidance and work with the City of Peoria to do what is right for its people and the environment. I appreciate your attention and look forward to working with you on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kirk", written over a horizontal line.

Mark Kirk
U.S. Senator

15-000-7476



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 2 2015

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

The Honorable Mark Kirk
United States Senate
Washington, D.C. 20510

Dear Senator Kirk:

Thank you for your April 6, 2015, letter concerning Peoria's plan to address combined sewer overflows (CSOs). I appreciate your interest in facilitating green infrastructure solutions to the management of CSOs.

U.S. EPA strongly supports green infrastructure and encourages cities to incorporate green infrastructure into their clean water plans where possible. Cities have often found that a combination of grey and green solutions is necessary to achieve clean water objectives, and we encourage green infrastructure where sound engineering demonstrates that it can work on a schedule that is reasonable and expeditiously achieves clean water protection.

As you know, the City of Peoria is currently in ongoing settlement negotiations with the United States and the State of Illinois to resolve violations of the Clean Water Act. While the settlement negotiations have been complex and have extended over a long period of time, I can assure you that EPA is committed to continuing to work with the City of Peoria to resolve this matter as soon as possible. As I am sure you are aware, EPA's communications pertaining to the proposed plan need to take place within the context of those negotiations; but we greatly appreciate your strong statement of support for green infrastructure, which has been a central element of our discussions with Peoria and other cities.

Again, thank you for your letter. If you have any further questions, please contact me or your staff may contact Carolyn Levine in EPA's Office of Congressional and Intergovernmental Relations at levine.carolyn@epa.gov or at (202) 564-1859.

Sincerely,

A handwritten signature in black ink, which appears to read "Cynthia Giles", is written over the typed name.

Cynthia Giles